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No 64,414

THE TIMES

INTERNATIONAL EDITION

TUESDAY AUGUST 18 1992

45p

'No-fly zone' to protect Shias

Bush threatens to shoot down Iraqi warplanes

By JAMIE DETTMER IN WASHINGTON AND ROBIN OAKLEY IN LONDON

THE United States and its allies are planning to ban all Iraqi military flights in the southern marshlands to protect Shia Muslim rebels from attack.

The US, Britain and France are preparing to declare an air exclusion zone south of the 32nd parallel that would complement the security zone protecting Kurds in the north of the country. According to US administration officials, Iraqi warplanes may be shot down if they continue attacking the marshlands, north of Basra.

The exclusion zone would take in the key Shia cities of Najaf, Karbala, Amara, Basra and Nasiriyah. The plans were being laid as President Bush flew into the Republican convention that opened in Houston, Texas, last night.

The "no-fly zone" would be enforced by US aircraft based on the aircraft carrier, the *Independence*, and American fighters deployed in Saudi Arabia. Discussions between Washington and Ri-

yadh over using Saudi air bases to monitor the area intensified yesterday.

Pentagon officials confirmed last night that a 30-strong air warfare battle staff, which was moved from Shaw Air Force Base in South Carolina to Riyadh last week, has started working out ways of policing the zone. However, the use of air bases in Kuwait by allied warplanes for patrolling a southern air exclusion zone, may be a violation of the Gulf war ceasefire.

Iraqi planes are capable of attacking ships in the Gulf despite Baghdad's defeat in the Gulf war, a British naval commander said yesterday.

"The Iraqi air force undoubtedly has the capability to carry out attacks against ships," Commander Andrew Willmett said on the guided missile destroyer *Edinburgh*. He said the *Edinburgh* had the ability to shoot down incoming missiles or aircraft but he declined to speculate on its role if there was military action against Iraq.

John Major flew back from Spain last night and will discuss the possibility of an air strike at an emergency meeting of the cabinet's defence and overseas policy committee today where he will hear reports from Michael Rifkind, the defence secretary, and Field Marshal Sir Richard Vincent, the chief of the defence staff. No consideration is being given to the use of British ground troops but air strikes could be mounted from bases in Saudi and Cyprus.

British intelligence is understood to have confirmed the use of fixed-wing bombers as well as helicopters by the Iraqi leader in harassing the Shia marsh Arabs. But President Saddam Hussein's post-war air force would be able to offer no significant resistance to an allied strike force. A senior source said yesterday that Britain was not at the stage of planning detailed military action but was analysing options, including a military one.

The first move is likely to come today when Jan Eliasson, the United Nations under-secretary general, who arrived in Baghdad on Monday, will press Saddam for better access for armed UN guards, accompanying the

Action diverted, page 7
Oil rises, page 15

E26m Brink's-Mat raid launders are jailed

By STEWART TENDER AND MICHAEL HORNSEY

A statement calling for the impeachment of Brazil's President Collor de Mello, citing "strong indications, if not outright proof, of political irresponsibility" was issued by the country's Bar Association. Page 8

Collor call

A statement calling for the impeachment of Brazil's President Collor de Mello, citing "strong indications, if not outright proof, of political irresponsibility" was issued by the country's Bar Association. Page 8

Unpaid bills

Small companies are waiting twice as long as big ones for bills to be settled and some have nearly a third of invoices outstanding a month after payment was due, according to Trade Indemnity, the credit insurance group. Page 15

Maidstone out

Maidstone United lost its struggle to survive, pulling out of the Football League.

Promoted to the League in 1989, it had only two registered players, no ground on which to play home games and reported debts of £650,000. Page 26

THREE men and a woman were jailed for between five and ten years last night for their part in the plot to launder the proceeds of the £26 million Brink's-Mat robbery. The sum for the missing millions continues to grow.

The convictions brought to an end the latest stage of nearly a decade of police investigation and a total of 12 criminal trials. Many of those who took part in the raid in 1983 remain free and some £9 million remain unaccounted for. Passing sentence, Judge Henry Pownall told the four: "You must

Full report page 3

Research call, page 2

Tony Travers, page 10

AFTER catching mice, chasing birds and avoiding dogs, Britain's cats may be struggling with a new enemy: the super flea. Pest controllers say that what appears to be a new, stronger breed of flea has arrived in Britain and it is resisting the powders and sprays that shift normal fleas from feline fur.

Experts believe that the fleas hatched from larvae which could have lain dormant for almost a year. They blame the plague on the hot, humid weather. Kenneth said that the number of houses with fleas had increased dramatically this summer. Vets throughout the country are reporting thousands of owners bringing their cats in for treatment. Some owners have inundated pest controllers with complaints. Owners have been advised to treat pets and their

The common cat flea magnified 20 times

bedding with anti-flea spray or powder once a week until the end of October.

But health officials admit that this is unlikely to stop the outbreak spreading and some experts are con-

Princess speaks out for addicts

By RACHEL KELLY, PROPERTY CORRESPONDENT

THE Princess of Wales yesterday called for more research into the causes of drug addiction and pleaded for greater understanding of addicts.

Addressing a conference in Glasgow on alcohol and drug abuse, the Princess spoke of the "horror, evil and violence" of alcohol and drug dependence, and criticised "self-appointed moralists" who claimed that addiction was a weakness, a judgment often delivered from behind a cloud of cigarette smoke.

It was time to understand the origins of addiction, she said, instead of "crossing the road to the other side".

Some studies had indicated that half the prison population was locked up as a result of addiction and dependency.

Yet those ensnared were often sensitive, creative people.

Many of the addicts she had met admitted that they had taken pride in evil, she said: "Addiction removes any semblance of social behaviour. An extreme evil surfaces in people who may previously have seemed pleasant."

The act created a shorthold

tenancy which allows the landlord to repossess his

property after six months for non-payment of rent.

While the supply of rented

property has increased, the

number of people wishing to

rent has not kept pace in most

of the South East. Although

more young people are dis-

illusioned with home owner-

ship and there is increased

House sales slump pushes down rents

By RACHEL KELLY, PROPERTY CORRESPONDENT

RENTS have tumbled in London and the South-east by 10 per cent over the past 18 months. Owners unable or unwilling to sell their homes are letting their properties instead, and the increased supply has forced rents down.

The problem is especially acute in London, where the association estimates that 80 per cent of lettings are corporate ones. Yolande Barnes, of the estate agent Savills, which has recorded London rent falls of 10.8 per cent over the past year, says that high rents charged in the eighties reflected demand from companies.

"The difficult economic climate has forced many companies to look harder at the options available for the relocation and accommodation of their staff. Business failures and lack of business confidence has meant that few companies will be willing or able to afford the expenditure once considered normal for staff accommodation."

Some companies no longer pay rent for their staff. Ms Barnes said.

Mr Lee said that outside London and the South-east, rents have edged up by about 5 per cent in some

Continued on page 14, col 1

Letters, page 11

UN fears 200,000 Bosnians may flee

FROM TIM JUDAH AND ROBERT STEELY IN ZAGREB

TWO hundred thousand people may be evicted from their homes or attempt to flee northern Bosnia in the next few weeks, according to a senior United Nations official.

José María Mendiluce, the special envoy of the United Nations High Commission for Refugees for all former Yugoslavia, said yesterday that his organisation was now involved in a tense stand-off with Bosnian Serb leaders but predicted: "I think we will lose."

Medical teams who returned this weekend from Gorazde, the Muslim town southwest of Sarajevo, said that they were appalled by the conditions they found, which included doctors performing surgery on children without anaesthetic.

Fighting meanwhile continued around cities held by Bosnian forces yesterday and more than two dozen people were reported to have been killed. In Sarajevo, a mortar shell struck a crowded street in the city centre killing at least one person and injuring 21. At least another seven people were reported killed as shells fell on the city. In Jajce, a Muslim town in central Bosnia, a dozen civilians were reported dead after a prolonged rocket attack by Serb forces. HINA, the Croatian news agency, reported that 13 Serb troops were killed after mounting an attack on the town of Kotor Varos in the north of the republic.

The exodus of women and children from Sarajevo looks set to continue after the charity Children's Embassy announced that it had negotiated for a convoy of about 1,000 Serb women and children to be evacuated within the next two days and driven to Belgrade.

The UNHCR's grim forecast of hundreds of thousands being poised to flee northern Bosnia comes after Serb leaders demanded that the agency help evacuate 28,000 non-Serbs from the region. However, the organisation said it would not be "blackmailed" into helping anyone to "ethnically cleanse" territory under their control. See Continued on page 14, col 7

White flags fly, page 9
Conor Cruise O'Brien, page 10
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TODAY IN THE TIMES

ONE YEAR ON



When Mikhail Gorbachev went on holiday to the Crimea he was toppled by four of Russia's most powerful men

Life & Times

Page 1

25 YEARS ON



Radio One was dull, patronising and moronic when Tony Blackburn launched it. Today the station remains the same, says Janet Daley

Page 10

30 YEARS ON



The over-30s should not go on about how great the 1960s were. Caitlin Moran offers them some advice

Life & Times

Page 5

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The common cat flea magnified 20 times

bedding with anti-flea spray or powder once a week until the end of October.

But health officials admit that this is unlikely to stop the outbreak spreading and some experts are con-

vinced that a super flea may be developing. Keith Kennard, pest control officer for North Cornwall District Council, who has had several instances of fleas resisting the common powders and insecticides, said: "We don't know the cause but we could have a super flea developing. They begin mating and three days later start laying."

Dr John Moulder, director of the medical entomology centre at Cambridge University, said: "The flea problem is growing year after year. Fleas like very high humidity and heat and conditions have been very good."

They are costing fire services a fortune by sparking off false alarms. Essex fire brigade said that swarms of thunder flies were being mistaken for smoke by fire alarms and automatic warnings were sent out to emergency services. It costs the fire service at least £200 for each appliance sent to a false alarm.

Princess calls for research into causes of addiction

BY KERRY GILL

THE Princess of Wales yesterday spoke of the "horror, evil and violence" of alcohol and drug dependence and hit at "self-appointed moralists" who regard addiction as a weakness.

"Sadly, many people still regard addiction as a moral weakness," she told delegates from 54 countries at the thirtieth International Congress on Alcohol and Drug Abuse in Glasgow.

"A number of these self-appointed moralists even choose to make such judgments from behind a cloud of cigarette smoke. Presumably, they regard cigarette smoking as morally neutral and non-addictive."

It was time to understand the origins of addiction, she told the six-day conference, instead of "crossing the road to the other side". With almost 10 per cent of the population in some developed countries facing dependency, the princess said the real question was whether it was a great achievement to be listed among the so-called developed countries.

She argued that development was increasingly driving people towards addiction as a form of escape, and cited studies showing that 50 per cent of the UK's prison population was locked up as a result of addiction and dependency.

The princess told the 700 delegates in Glasgow that those who become ensnared in addiction were often highly sensitive and creative people. "This is turned [around] by some, who say that alcoholics, and so alcohol, have contributed inestimably to mankind. Undoubtedly, huge contributions have been made to the world by people who have also been alcoholics — but I doubt it was the alcohol."

She said lively imagina-

tions had long chosen to hide in fantasy worlds for protection rather than face a raw and real world. "Imaginative children lose themselves in fantasy worlds through stories. Later they might choose to escape through Ecstasy, uppers, alcohol and addiction."

The princess said a heroin addict once told her that as a child he felt his "human radar" was jammed by too much information. "He sought solace at an early age in drugs and found anything but solace when he became addicted."

Many of the addicts she had met admitted they had taken pride in evil, she said, adding: "Addiction removes any semblance of social behaviour. An extreme evil surfaces in people who may previously have seemed pleasant."

The Princess of Wales said: "Attempts to understand the origins of addiction in no way provide a sanctimonious excuse to the addict for the almost incomprehensible horror which drug addicts feel. However, it may be worth exploring some characteristics of addicts so that vulnerable people can be helped away from allowing themselves to be sucked into the habit."

Society, the princess said, now faced two main challenges: how to stop people becoming addicts and how to help addicts find more a fulfilling existence. She said a combination of prevention and cure was needed.

Her theme of trying to tackle the reasons for addiction was taken up by Hans Embled, director of the World Health Organisation's programme on substance abuse. Mr Embled said that 90 per cent of resources were as important as reducing supply of addictive substances.



No moral weakness: the Princess of Wales pleads for greater understanding

but that more were needed to treat those who suffered. He attacked what was all too often the glorification of drug barons and drug seizures. Lurid warnings of "inner city mayhem" were only part of the story.

Today he will again address the conference and argue that tackling demand is as important as reducing supply of addictive substances.

Professor Fred Edwards, director of social work for Strathclyde, praised the princess's speech. He said it was obvious she had carried out many engagements as patron of Turning Point, the charity helping people with drink and drug-related problems, and had studied the problems in depth.

Prof Edwards backed up the prison statistics, saying

that 63 per cent of the Scottish prison population was intoxicated at the time of offending. "We can so easily be seduced into a situation where the means become more important than the end, where the scramble to publish first becomes more important than the attention to the suffering, pain and misery which is generated by alcohol and drug dependency."

Timeshare sellers will be

legally obliged to provide a buyer with a notice setting out the right to cancel and a blank cancellation form before the buyer signs the timeshare agreement.

A buyer who cancels an agreement within the 14-day period will be entitled to claim back any advance payments made in respect of the deal.

French accused of new fishing attack

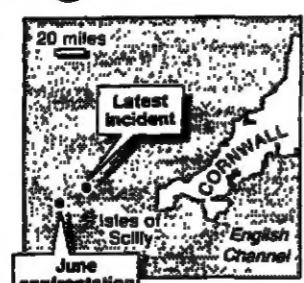
BY DAVID YOUNG

THE skipper of an English fishing boat said yesterday that a French trawler had caused damage to his nets that would cost several thousand pounds to repair only a month after a previous incident in the same area ended with the Royal Navy boarding a French vessel.

Richard Jenkins, 31, skipper of the 36ft *Aquarius*, said the French trawler *Damocles* had run through his nets 17 miles north of the Isles of Scilly. Mr Jenkins said he radioed the position of his gear to the French skipper but about four tiers of gill nets were lost in the incident.

Mr Jenkins's wife, Heather, said: "He called them up on the radio and gave them the net positions but they did not seem to care what they were doing. The French skipper spoke good English but they just continued to trawl."

"We only bought the boat in the spring and this is a serious financial set-back. Richard may now have to move off good fishing ground and take risks in unknown ground. The French claimed



they had been in the area for three days but Richard had been working out there for two weeks. When he returns home he will file a complaint with the ministry."

Mr Jenkins is based on the Scilly Island of Bryher. Last month three skippers from Newlyn, Cornwall, said they lost nets worth up to £20,000 after clashes with the French trawler *Larche*, which was boarded by crew from a Royal Navy protection vessel.

The incidents also off the Isles of Scilly, provoked an angry cross-Channel war of words at government level. The three fishermen are still waiting for compensation. One skipper said he had been forced to sign on for social security benefit after losing nets worth £7,000.

Eubank fined for careless driving

BY GEOFF KING

CHRIS Eubank, the boxer, was fined £250 with £1,450 costs yesterday after being found guilty of driving without due care and attention when he swerved off the road in his Range Rover and killed a workman.

Eubank told police he had lost control of the vehicle when it hit Kevin Lawlor, 33, by the London to Brighton A23 near Pease Pottage, West Sussex, in February. Haywards Heath magistrates' court was told. He said his Range Rover swerved after he braked to avoid grit and pebbles.

The world super-middleweight champion told police he and his brothers were on their way to Gatwick for a flight to Jamaica to see their grandmother. He denied that he had been in a hurry.

Maria Higgins, for the prosecution, said Eubank told police he was driving casually. He said he saw a pile of bricks and then a man facing him as the Range Rover hit a gravel surface at the side of the road. "I don't know why he didn't move. I had lost complete control because of the gravel."

Eubank, 26, was arrested on suspicion of causing death by reckless driving. PC David Dudley read from a transcript of an interview with the boxer in which he said: "I touched the brake. I don't think I touched it very heavily but the car swerved just a

little. I was driving casually. With the Range Rover, once it swerves, because it is top-heavy, it has a tendency to sway a bit."

Eubank said there was a chain reaction with the vehicle swerving into the nearside lane, then back into the outside lane before returning to the nearside and eventually leaving the road. Asked why he had touched the brake, he said he had sensed that there was gravel on the road and that he was going a little too

fast at 58mph. He said he thought the car's power steering contributed to its tendency to sway as it was light.

Asked if he might have handled the steering a little too roughly, he said he was a strong man and needed to bring the vehicle under control. "Maybe I got rough in trying to control the car."

Maria Higgins said the prosecution evidence was that the road surface had been clear and that no other vehicles had problems. She said

Eubank had not been paying the attention required of him.

He had admitted driving with at times only one hand on the steering wheel and the other on his lap, even at speeds of more than 60mph.

Even though the vehicle was driven within the 70mph speed limit, he should have been driving much slower and was unable to control the vehicle, she said.

Eubank was said to have

told police he was going to catch a flight at 11.45am.

An officer at the interview told him the flight was due to leave at 10.55. Eubank said

that was not what he had been told and said he had not been in a hurry at the time of the incident.

Eubank of Hove, East Sussex, who denied the charge, told the court that he had not spoken to anyone about what had happened.

"This can be construed that I am callous. That is not so."

He said he had done nothing wrong. "All I can do is apologise now and I will do so after I leave this court, no matter what happens as to the verdict."

Turning towards the relatives of the dead man, sitting in the back of the court, he said he had wanted to pay his respects but it had not been possible.

Outside the court, the dead man's family described the death as desirous and criticised Eubank for being "insensitive, insincere and arrogant".



Eubank arriving at the court yesterday

BA loses US passengers to Lufthansa

BY HARVEY ELLIOTT
AIR CORRESPONDENT

COST-CONSCIOUS British businessmen trying to save money when visiting America are flying to Frankfurt first, and German leisure passengers are flying to Heathrow to take advantage of cut-price economy tickets available only in Britain.

The anomaly means that first-class and business-class passengers from Britain can save more than £800 by flying to Germany to connect with a transatlantic service, and a German tourist can save about £50 by flying to Britain first.

Intense competition on flights between the United States and Germany has forced airlines on both sides of the Atlantic to cut the price of first-class and business-class tickets to levels well below those available direct from Britain, where the price war has been concentrated in the economy section.

Lufthansa says that a first-class passenger would pay £4,518 to fly from

London to Chicago direct, but the cost of travelling via Frankfurt would be only £3,682, a saving of £836. A business-class fare direct from Heathrow to Los Angeles is £3,254, compared with an inclusive Heathrow-Frankfurt-Los Angeles fare of £2,056, saving £198.

"As first and business-class fares to the US are nearly 30 per cent cheaper from Germany than from the UK, the combination of a flight from London, Birmingham, Manchester or Glasgow to Frankfurt with an onward flight to New York or eight other Lufthansa destinations in the US offers such savings that it makes the extended travelling time worthwhile," Lufthansa said.

The extended travelling time, which, according to British Airways, can add five hours to a journey, has prevented a rush of business-class passengers from changing planes in Frankfurt. "This causes us no concern," BA said. "It has minimal impact on the UK business market, where first and business-class passengers know very well that routing via Europe in the wrong direction prolongs the

journey by a wide margin. They see time as money and pay for the convenience of a fast non-stop flight instead of waiting for a connection in Europe."

However, as businessmen increasingly use travel management techniques, a growing number are learning that juggling timetables can save large sums.

Germans, and others on the Continent, are learning to take advantage of economy fares on long-haul flights from Britain. Airline Ticket Network, which sells discount fares, says that more Germans, Scandinavians and Swiss are now coming to Britain, perhaps to stay for a few days, before flying to America. Australia and the Far East. John Swindell, managing director, said: "We contract with airlines to take their excess capacity and then retail it as efficiently and cheaply as we can. This is a British phenomenon that the rest of Europe has now caught on to."

The use of computers by travel agents to trawl through the complex web of international air fares had led to more "odd-ball" flights being made available.

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NEWS IN BRIEF

Baby snatcher not likely to be charged

The woman who snatched six-month-old Farrah Quili from her home in east London and took her to Limerick, where she told her family the baby was her own child, is not likely to be charged, it emerged yesterday. Karen McSweeney, 22, has agreed to seek medical help. According to villagers in Cratloe, near Limerick, where her parents live, Miss McSweeney is distraught and is finding it difficult to talk about the incident.

Miss McSweeney posed as a bogus mother's help and snatched the baby after answering a newspaper advertisement. A report on what happened will be in the hands of the Director of Public Prosecutions in Dublin by the end of the week. It is expected to give details of the events that led to Miss McSweeney travelling to England and snatching the baby, including her ordeal of giving birth to twins which were then given up for adoption, as well as medical reports.

Therese Brady, a psychologist at University College, Dublin, said yesterday that taking Miss McSweeney to court would not solve her problems. "She needs a lot of help and understanding right now. What led her to take this baby is important and the legal system is not the best route to find that out," she said. Bernadette and Shane Quili, the baby's parents, have said they are so glad to have their daughter back that they are not expected to insist on charges from England, and they have forgiven Miss McSweeney.

Ferry checks ordered

The Irish government yesterday ordered checks on the sewage systems of passenger ferries using its ports after the death last week of two children during a sailing between Swansea and Cork. The six ferry companies operating services to Ireland have been instructed to provide details of their gas-detection systems or install them if they do not have them. A ferry-users' group will be set up involving government officials, company representatives and consumer groups, for dealing with passenger complaints. There have been allegations that Swansea Cork Ferries, operators of the *Celtic Pride*, on which the children were overcome by toxic fumes, had ignored complaints by passengers a year ago of a faulty sewage ventilation system on the vessel.

Draw for computer

The first game between a computer and the world draughts champion, Dr Marion Tinsley, has ended in a draw. After four hours and 52 moves, Dr Tinsley, 65, a mathematics professor at Tallahassee, Florida, conceded that the game could not be won. Experts consider that the second game, in which Dr Tinsley is playing with the black pieces, will also end in a draw against the £200,000 Canadian computer program Chinook, which has 17 billion positions stored in its memory and can analyse three million moves a minute. However, the experts expect Dr Tinsley, world champion since 1954, to win the 40-game tournament at the Park Lane Hotel, central London, by two or three games to none, with the rest drawn. Chinook has been programmed by Professor Jonathan Schaeffer of Alberta.

Ransom cash numbered

Half of a £40,000 ransom paid by a bank manager for the return of his kidnapped wife was in unused, identifiable £20 notes, police said yesterday. The money was handed over on Friday by Derek Kerr, left, after his wife, Elizabeth, was snatched from their home in Holmes Chapel, Cheshire, by a man posing as a police officer. Police said £18,000 was from a batch of £20 notes numbered 847001-847901 and £2,000 in £20 notes numbered 849001-849100.

Immunisation success

There were no child deaths from measles or whooping cough in England and Wales for the first time last year, according to government figures. Record numbers of children were immunised against infectious diseases last year: 92 per cent were vaccinated against measles, mumps and rubella, and 90 per cent against whooping cough. Virginia Bottomley, the health secretary, said that the figures were an excellent achievement but that there was no room for complacency until these diseases were eliminated. The haemophilus influenza b (Hib) vaccine will be introduced into the programme from October 1. Hib is the most frequent cause of bacterial meningitis in children under five and kills about 65 people a year in England and Wales.

Race killing at school

Race hatred at a comprehensive school ended in a teenager's murder after a playground dispute at the school in Tottenham, north London. An Old Bailey jury was told yesterday, Arif Roberts, 15, was "the wrong person in the wrong place at the wrong time", said Linda Stern, prosecuting. Racial friction between black and Vietnamese pupils exploded into a fight during a game of football in September 1990, she told the court. The Vietnamese planned revenge and recruited others to come to the school to fight. The next day, a 16-year-old boy from Woolwich, southeast London, arrived with other Vietnamese youths armed with knives. Arif, a black pupil, went out of the school gates on his lunch break and was set upon. A knife was rammed into Arif's neck, severing his jugular vein. The 16-year-old denied murder. The trial continues.

Cat tortured to death

Three men who tortured a pet cat, ripping off its back legs and tail before hurling it alive on to a bonfire at a farm in Machen, Mid Glamorgan, were given custodial sentences yesterday. Two boys, aged 15 and 16, will be sentenced later. "This poor cat was tortured and killed for a joke by this gang," Geraint Richards, prosecuting for the RSPCA, told magistrates at Caerphilly. Stephen Williams, who saw them through the telescopic sight of his rifle, said: "It [the cat] was screaming like a banshee. It struggled to get out of the flames for about 15 seconds before it gave up and died." The five people prosecuted for the cat Tigger's death all came from an estate near the farm. Gwyn Richards, 21, was Chapman, both 18, were given five months' youth custody.

Toilets rated poor

British public conveniences are rated better than only those of France, Thailand and Greece, according to a survey released yesterday. The survey, by Andrex Moist Toilet Tissue, said the best public toilets were found in the United States, Switzerland and Germany. In Britain, football grounds, fairs, parks and beaches were the sites of the worst public conveniences. More than two in five Britons rated clean toilets more important than clean beaches, swimming pools and drinking water.

Man held for murder

A neighbour of Tracey Carey, the single mother who was found dead in her home on August 9, appeared in court yesterday charged with her murder. Ezekiel Allison, 35, unemployed, of Trowbridge, Wiltshire, was remanded in custody for seven days by magistrates. Carey, 20, was found dead in the hallway of her home in Trowbridge. Her 17-month-old daughter, Kayleigh, was discovered asleep upstairs. More than 100 bystanders jeered at Mr Allison as he was driven away.

Bereaved families seek judicial review

Fire death coroner refuses new evidence

BY A STAFF REPORTER

THE families of four people killed in a fire at a party in a flat at Hove, East Sussex, in April walked out of the inquest into their deaths yesterday after the coroner refused to hear new evidence from their lawyer.

Colm Davis-Lyons, for the families, asked Dr Donald Gooding to admit a 29-page submission relating to the ownership of the flat. He told the resumed inquest at Brighton that the evidence would identify the owner of the three-storey building, which did not have a fire escape.

In court, he named a Mr Hoogstraten as the probable owner, but the coroner replied: "I have no firm evidence that Mr Hoogstraten was or is the owner of the property involved. He may be but I have no firm evidence and I can't call a witness on what amounts to a show of hands."

The ownership of the building has baffled the authorities, with letters to supposed owners going unanswered. Mr Davis-Lyons referred to letters sent to a Nicholas Ioannou, a director of the company that is the lease-

holder of the building. He told the jury that efforts to contact him had failed but added: "There is reason to suspect that he does not in fact exist... but that he does exist under the name of Mr Hoogstraten."

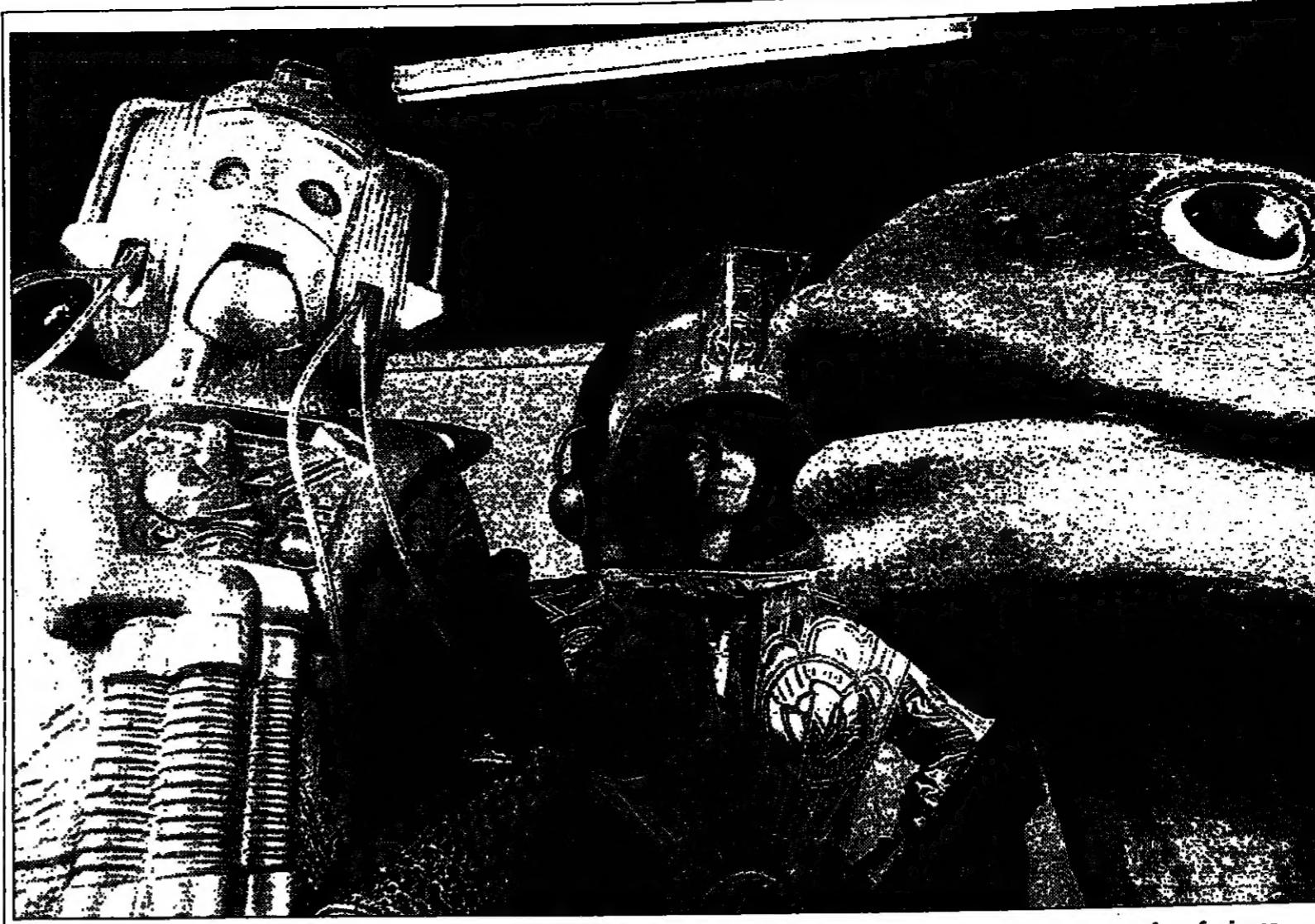
The families walked out of the inquest and are seeking a judicial review from the divisional court. Dennis Johns, father of one of the victims, read a statement on behalf of the bereaved, which said: "The families have unanimously agreed to withdraw from the proceedings until the evidence they consider to be important is made known to the court."

"This matter is now to be referred to the divisional court at the families' request. I very much hope there will be another inquest. It will be a farce if there is not. We want justice for our son and for the other families. If we can stop this happening somewhere else it will be a bonus."

Five people died in the fire. Andrew Manners, 29, of Cheltenham, Gloucestershire; Mabel Smith Roberts, 46, of Colwyn Bay, North Wales; Timothy Sharpe, 28, of Hove; Paul Jones, 33, and Adrian Johns, 32, both of Brighton.

An inquest into the deaths of party guests was told by a fire officer that there were no fire precautions in the building.

The hearing continues.



Cult culture: Cyberman, left, from the Dr Who television series, will be sold at Bonhams in London next week at an auction of science fiction costumes. Cat's gold spacesuit from Red Dwarf, centre, and Miranda the mermaid, right, will also go under the hammer

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Breeders put on alert after theft of top greyhound

Bill Frost examines the darker side of hare-coursing and the motives of those who steal the sport's best performers

GREYHOUND breeders were advised yesterday to examine security at their kennels after the weekend disappearance of a champion hare-coursing brood bitch worth an estimated £14,000. Rogue sportsmen were blamed as fears rose that such robberies could now become commonplace.

The British Field Sports Society said "callous" enthusiasts or poachers were probably behind the theft of Glen Case in the small hours of Sunday morning. The four-year-old black bitch was among the top 60 hare-coursers in the country, with a string of wins to her credit.

Jane Barrow, who trained the bitch at kennels in Avelyn, Essex, said yesterday: "Glen Case has been stolen by people from the dark side of the sport. They will want to use her at illegal gatherings where tens of thousands of pounds change hands and no attention is paid to either the welfare of the dog or the hare. I warn them that I will leave no stone unturned to get her back."

Caroline Yeates, of the BFFS, said breeders should be on the alert. "There is a lot of trouble now with 'bad boys'. They set up illegal events simply to make money with no thought for the rules of the sport."

Hare-coursing, which some MPs and anti-blood-sports campaigners want to

have banned, pits two dogs against their prey. Beaters raise the hare and propel the animal towards a field where the greyhounds wait in traps.

As the hare appears, two dogs are loosed and marked by judges for their speed and agility in the chase. Bets are laid by spectators on which will run closest to the hare.

Forcing the best from the hare can sometimes prove hazardous for the greyhound. At a meet in Coquetdale, Northumberland, Sheila's Stockings, a top courser, ran back to her trap when a hare stood his ground and sank his teeth into her nose.

There are no prizes for catching the prey in the legitimate sport. But the "rogues" attach a substantial cash bonus to a kill.

Police have told Mrs Barrow that searching for Glen Case will be like looking for a needle in a haystack. She agreed that once a greyhound has disappeared, the chances of recovering the animal are slim. "These people are quite capable of spraying a dog with blue paint to hide its identity. But I won't give up and a reward will be posted."

A spokeswoman for the League Against Cruel Sports said yesterday that she hoped no harm would come to Glen Case. "However, as far as hare-coursing is concerned, we still want the 'sport' banned. In our view it is worse than fox hunting."

Edinburgh fest rivals call truce

BY SIMON TATT
ARTS CORRESPONDENT

THE long-standing sometimes bitter rivalry between the Edinburgh International Festival and the Fringe is to end, Brian McMaster, the festival's new director, said yesterday.

Speaking on the first day of his first festival, Mr McMaster said: "It has become very silly. We are each part of the biggest cultural event in the world and the festival would not be the same without the presence of the Fringe. Yet visitors get very confused when they find the two maintaining differing listings. We need to be jointly marketed." He was discussing this with the Fringe administrator, but it would require extra money.

Although the Fringe officially opened on Friday, some shows had opened a week earlier. There are 10,650 performances of 1,129 shows, making this the biggest Fringe since its inception 45 years ago.

The festival has 97 projects and 248 performances, fewer than last year.

Diary, page 10
Arts, L&T, pages 2, 3

1800 BNP

Exmoor group spurns plan for national park authority

THE scenery, wildlife and residents of Exmoor would be better protected if the government abandoned plans to set up an independent national park authority and instead expanded the park boundaries and placed it under local authority control, the Local Government Commission is to be told in Somerset next month.

The proposal will be put forward by the Exmoor Society, which has fought several local campaigns in defence of the park, acknowledged as one of Britain's most beautiful areas.

Guy Somerset, chairman of the society, whose members include conservationists, local landowners and people who live on Exmoor, says that the plans for an independent park authority do not go far enough. "To start with it will not be elected or accountable to the people of Exmoor and it will not have wide enough powers," Mr Somerset said. "Its writ runs only to the park boundary but the development pressures do not stop there."

The future protection of one of the most beautiful wildlife areas in Britain is under discussion, Douglas Broom reports

The society has been particularly scathing about the planning record of West Somerset District Council, which covers three-quarters of the national park. It fought a lively campaign against plans to allow Sumins to extend its holiday centre and build a funfair at Minehead on the northern edge of the park.

It was Exmoor which led the fight to stop the rooting-out of hedgerows and the ploughing of moorland, Mr Somerset said. "They said we were barking up the wrong tree and then suddenly everyone came round to our point of view."

The local government review represents a unique opportunity to sort out the running of Exmoor and all the national parks. Apart from the two tiers of councils we have 25 government departments or agencies operating

running schools or emptying dustbins.

That view is echoed by the Council for National Parks. A spokeswoman said: "National parks and councils have different functions. We need to be free to protect the parks, which might sometimes bring us into conflict with local government. We would not want to be part of it."

Philip Tearle, deputy town clerk of West Somerset council, said the society's plan for an enlarged Exmoor national park taking in Minehead and Quantocks would replicate his council's area.

Rejecting the society's criticism of the council's planning policies, he said: "All our planning decisions are taken in the light of local plans, which are only arrived at after extensive consultation with local people. We believe the best local government solution for Exmoor would be a unitary West Somerset council. I think you will find that is what most local people will want."

Leading article, page 11



An eye to the future: Guy Somerset says the park boundaries should be expanded because of development pressure

Video may help Alex, 3, pinpoint murderer

By STEWART TENDERLE CRIME CORRESPONDENT

DISCREET video cameras may be used by police to record attempts by a child psychiatrist to probe the mind of Rachel Nickell's son Alex to discover whether the three-year-old can provide evidence that will lead to the man who murdered his mother on Wimbledon Common a month ago.

The recording would provide a dispassionate account of the child's recollections that might be usable in court. The information would also be studied by detectives in the investigation, and by Dr Jean Harris Hendricks, a consultant child psychiatrist in Bedfordshire who is helping Alex.

Professor Graham Davies, head of the psychology department at Leicester University and an international expert on the use of children as witnesses, said the law on the use of children as witnesses had recently been relaxed. While evidence could now be used without corroboration, Home Office guidelines say that children should be able to talk freely rather than be asked to comment or embellish on a story put to them, as had happened in several child abuse cases.

However, he said there would be difficulties in using a child as young as Alex as a witness in a court case, even if using closed-circuit television so that he did not have to sit in the courtroom. He would have to be available for cross-examination, although there were practical and ethical difficulties about cross-examining a child so young, he said. "I suspect a judge would take the view it was not in the interests of the child to suffer cross-examination."

Growing up after tragedy, LAT section, page 5



These are the trees



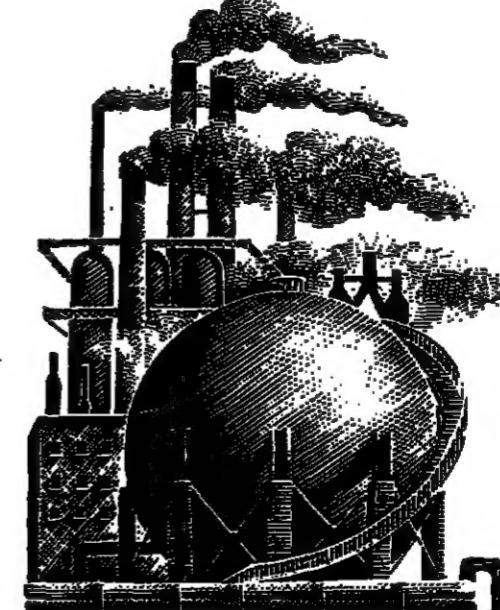
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Bush's bluff called after he tries to play the patriotic card

PRESIDENT Bush's last engagement before arriving in this convention city last night was to stop off and address a gathering of that most patriotic of all American organisations, the Veterans of Foreign Wars.

It was a timely reminder, if any were needed, of the attraction the uniform of commander-in-chief will always have for any incumbent running for re-election.

The president has not been helped, however, by what is seen in some quarters as a rather too transparent effort to play the military card against President Saddam Hussein. Whatever the truth of the allegation that bombings of up to nine official



Iraq could turn the electoral advantages of incumbency sour for President Bush, writes Anthony Howard from Houston

targets in Iraq were planned to coincide with the opening here of the Republican convention, the uproar arising from it has clearly badly netted the president.

He has called the story, which originally surfaced in *The New York Times* "a clear breach of security" while at the same time going on to declare: "I totally deny that we are trying to pick a fight and I totally deny that we're trying to pick a fight for political reasons."

That kind of confusion and embarrassment can only have gratified the "officials familiar with administration planning" who leaked the story in the first place. The whole nature of the *New York Times*

report strongly suggested a deliberate effort on the part of some well-placed sources to derail a military scheme of which they disapproved.

There has even been speculation that the leak may have come from within the defence department itself, if only because the armed services have always prided themselves on being above the

political process. The obvious indignation with which both the president and Richard Cheney, the defence secretary, reacted to the story has even served to lend it a certain credibility.

Neither Mr Bush nor Mr Cheney made any effort to deny the central thrust of what both *The New York Times* and the *Chicago Tri-*

bune originally reported — that the threat of fresh air strikes against Iraq certainly existed, at least until the United Nations team of inspectors got their way yesterday, and may yet be brought into play again in defence of the Shias in southern Iraq. Instead, they concentrated their fire on what they regarded as the wholly improper political "spin" given to the *New York Times*.

The resulting controversy has at least reminded everyone of the very real reserve powers that any president enjoys. As George Bush himself said when running against Ronald Reagan for the Republican nomination

in 1980: "The opera is not over until the fat lady sings" — and in this case he himself is in the role of "the fat lady". It is he who has the capacity to shape events and dictate the agenda between now and election day, not his opponent, Bill Clinton.

It is a power, however, that any president needs to exercise with great care. If one instant sealed President Carter's fate in 1980, it was the ignominious nature of the desert mission to rescue the American hostages that held in Iran.

And, through hard practice, the American electorate has perhaps acquired a way of noticing where its patriotic susceptibilities are being ex-

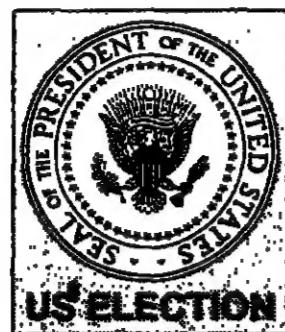
plited for partisan purposes. In that sense, the real damage done to the administration by the exposure of what can be viewed as a perfectly legitimate military option lies in the fact that it surfaced at all. In itself, it probably restricts Mr Bush's freedom of movement. The White House certainly hopes that the threat to Saddam has had not just a temporary but a lasting effect.

The lesson of President Reagan's bombing of Libya in 1986 is that such attempts to instil lessons in international behaviour work best when they come out of a bright blue sky. The last thing Mr Bush can be looking for is a national debate over what sort of action it would be appropriate

Republicans adopt right-wing manifesto

White House quells revolt on abortion

FROM MARTIN FLETCHER IN HOUSTON



PRO-CHOICE delegates at the Republican national convention gave the White House an early victory yesterday when they abandoned their fight for what would have been a divisive floor debate on a party platform that seeks to impose a constitutional ban on abortion.

Governor William Weld of Massachusetts and John McKernan, his compatriot from Maine, announced that they would not push for the debate after they were able to secure the backing of only four state delegations, two fewer than required. "The pressure from the White House was immense," Nancy Sternoff, executive director of the national Coalition for Choice, complained.

Opponents pronounced the abortion issue dead, although opponents believe it will this November cost President Bush the votes of possibly millions of women and political moderates. The convention later adopted a manifesto even more conservative than those of the Reaganite 1980s, particularly on social issues, which reflected the continuing strength within the party of the religious right.

Republican officials were hoping for a boost last night when Ronald Reagan, the former president, was to address the convention. There were also high hopes that Patrick Buchanan, who mounted a bitter conservative challenge to Mr Bush during the primaries, would throw his support wholeheartedly behind the president.

In a sudden welter of pre-convention interviews, Mr Bush declared himself fired up for the autumn campaign and insisted he could still win because "the people will come to their senses". Campaigning in Indianapolis on his way to the convention, he declared that he had changed the world

and that he would now change America.

Mr Bush was arriving in Houston late yesterday amid signs of deep anxiety in the Republican camp — and with good reason — knowing that he must dramatically re-present himself to the American people. He trailed Bill Clinton by 17 points in a poll in *The New York Times* yesterday, by 23 points in a similar exercise in *The Los Angeles Times*, and by 15 points in a survey conducted by the *Houston Chronicle*.

His camp hopes that the so-called convention "bounce" will reduce Mr Clinton's lead to 12 points or fewer by the end of the week, but the detailed figures in *The New York Times* were more alarming for the Republicans than the headline figures. No fewer than 92 per cent of respondents said they believed America needed a real change, with just 15 per cent believing that Mr Bush can provide that change. The president invoked his Gulf war victory yesterday, but only 40 per cent of those polled approved of his current handling of Iraq; 48 per cent disapproved. Just 14 per cent approved of his

handling of the economy, the lowest figure of his presidency.

The *Los Angeles Times* poll showed that Mr Bush could still stage a rally without precedent in presidential history and win re-election, their optimism appearing to increase the more the president's ratings fall. "We sort of do well when we are 17 points down," said David Carney, the campaign's director of political affairs, promising a "September Storm" against Bill Clinton.

The party divide on economic policy became increasingly pronounced when Bob Dole, the Senate Republican minority leader, said the tax cut announcement Mr Bush is said to be contemplating for his Thursday speech would be bad medicine for an economy living in the shadow of a huge national debt. Vin Weber, a Minnesota congressman and leader of Reaganite supply-side economic supporters, re-

torted that Mr Dole's comments "just make me all the happier that he's the Senate leader and President Bush is in the White House".

It looks more than likely that Mr Bush, whose speech could make or break his re-election chances, will embrace the idea of further tax cuts during his second term, paid for by spending reductions which would include politically risky caps on entitlement spending. In doing so he will paint Mr Clinton as a tax-raiser without the courage to confront America's huge budget deficit.

Unconfirmed reports yesterday suggested that James Baker, the former Secretary of State and Mr Bush's new campaign manager, was trying to persuade key figures from the president's 1988 campaign to return to do battle this time. Those he has approached include Roger

Ailes, the reputed master of negative advertising, and Ed Rollins, the strategist who defected to Ross Perot earlier this year. Mr Rollins is in Houston as a television commentator. Sig Rogich, a media presentation expert who left the White House to be America's ambassador to Iceland, is also said to be among those approached by Mr Baker.

A fresh row erupted between the Bush and Clinton camps yesterday after Robert Mosbacher, the Bush campaign chairman, resurrected the adultery allegations against Mr Clinton. He told reporters that questions about Mr Clinton's marital fidelity were relevant despite the president's edict that the candidates' private affairs should not become campaign issues.

Flight ban, page 1
Leading article, page 11
Life & Times, page 4

Georgia warns

Sukhumi: Georgia threatened to use force to crush nationalist resistance in its breakaway region of Abkhazia. Tengiz Kitovani, the defence minister, gave an ultimatum to Vladislav Ardzinba, the Abkhazian leader, to quit. (Reuters)

Treaty opposed

Copenhagen: Opposition to European union appears to have increased in Denmark since it was rejected by 51 per cent to 49 per cent in June. A poll now shows that 57 per cent of Danes oppose the treaty. Diary, page 10

Amnesty given

Kiev: To mark the first anniversary of Ukraine's declaration of independence, President Kravchuk has ordered an amnesty for all prisoners who have served three of their sentences of up to three years for minor crimes. (Reuters)

Pope holidays

Rome: The Pope, who is recovering from intestinal surgery, began a two-week holiday in the Dolomite resort, Lorenzago di Cadore. He said on arrival: "The Dolomites can heal everybody... I came here to rejuvenate." (AP)

Tomb found

Rome: The discovery of a Roman remains close to the leaning tower of Pisa, including the tomb of a child of ten who died in the fifth century AD, is threatening to delay urgent work needed to prevent the tower from collapsing.

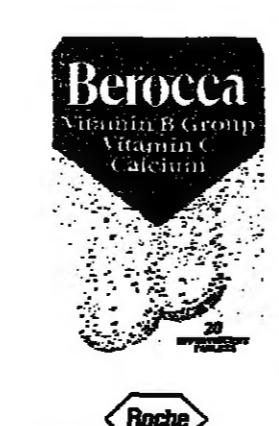
Cursing taught

Sydney: Immigrants, often baffled by the local language, should be taught about swearing to help them adapt to Australian culture. Brian Taylor, director of Sydney University's language centre, said. (AP)



Supporting role: Pat Buchanan, the former right-wing candidate, and his sister and campaign manager, Bay, inspecting the convention floor from the podium in Houston yesterday after being invited there by Mr Bush

B1 B2 B3
B5 B6 B12
B yourself



HOUSTON NOTEBOOK by Martin Fletcher

Dead ducks and hopefulest trot out endorsements

WAS IT wise to have Ronald Reagan, the oldest US president, blessing Mr Bush, the second oldest, on the opening night of the Republican convention yesterday? Yes. The Great Communicator would galvanise the faithful inside the Astrodome (so cavernous, the joke goes, that it could have hosted Jesus's barmitzvah).

But elsewhere in America Mr Reagan's Tetris protection has gone. He cashed in too flagrantly on his presidency. The Cold war victor is now seen more as the man who led America into its present economic abyss. White, working-class "Reagan Democrats", attracted by his social conservatism, now regard the 1980s as a decade when the rich grew richer at their expense and have returned to angry droves to their ancestral party.

There were other performers last night of dubious value to the struggling president. The party of "family values" had Tanya Tucker, an unmarried mother, sing the national anthem. There was Patrick Buchanan, who mocked "King George's hollow army" and called Mr Bush a "warmed-over Jimmy Carter" during his savage primary challenge. Mr Buchanan would have to "crawl through broken glass" to get a convention address, a Bush campaign spokeswoman remarked later, but two weeks ago Mr Bush, desperate to

lose his own primary in Michigan last month.

The Republicans did display an iota of serendipity. Lowly officials had suggested getting Baroness Thatcher to address the convention. Fortunately the idea was shot down. In recent days the former prime minister has been the cheerleader



Reagan: now blamed for economic decline

shore up his conservative base, personally telephoned the columnists to patch things up.

There was Paul Laxalt, the former Nevada senator who Mr Reagan had really wanted as his 1980 running mate, a former Reagan aide disclosing last weekend that his boss had always considered Mr Bush an unlikeable "wimp". Finally there was Guy Vander Jagt, the man in charge of all November's Republican congressional campaigns who contrived to lose his own primary in Michigan last month.

The Republicans did display an iota of serendipity. Lowly officials had suggested getting Baroness Thatcher to address the convention. Fortunately the idea was shot down. In recent days the former prime minister has been the cheerleader

of American criticism of Mr Bush's cautious response to the Yugoslav civil war.

Seventy-one members of the Bush clan are in town for the convention. After Barbara Bush's "family values" speech tomorrow night, hordes of the younger ones are expected to join the First Lady on the million-dollar podium. However, 15,000 media people (roughly seven for every delegate) will be scouring the mélée for one figure only — Neil Bush, the president's youngest son and national lightning rod for the Savings and Loan scandal. Neil lives in Houston, having fled here after his Colorado building society collapsed with debts of \$1 billion (£523 million), but the betting is he will supply grandchildren only for tomorrow's display.

Whether Mr Bush's wins or not this November, the Republicans will need a new nominee in 1996, and that is this convention's subplot. The contenders are jostling for position as furiously as decorum allows. Most will be speaking and this is a unique opportunity to set out their wares.

James Baker, former Secretary of State, and Richard Cheney, Defence Secretary, are the more mainstream contenders. But only one, Patrick Buchanan, makes no bones of his ambition. His Houston headquarters' telephone number ends with the digits 1996.

100-150

Ethnic rivalry undermines struggle to save Bosnia

FROM ROBERT SEELY IN NOVI TRAVNIK

FRICITION between Muslim and Croat fighters is delaying attacks on Serbian positions and forcing the two factions to the defensive, according to soldiers along Bosnia's southern "front" running northwest from Sarajevo.

Tension between the two has flared occasionally throughout the region, where Croats from both their own republic and Bosnia fight — out of necessity, not love — alongside local Muslims. But the ambivalent militia forces are saying that Serb fighters will hold a key advantage this winter unless Croats and Muslims unite, something which they are both unwilling to do.

"This war will go on until we can agree on joint action. The Croats are willing to co-operate, but under no conditions will we follow Muslim command," said Franjo Dizdic, a Croat fighter in Novi Travnik, a front-line town 40 miles west of Sarajevo.

The hills north of Novi Travnik are dotted with the forward positions of all three sides. Croats claim that they are doing most of the fighting to preserve Bosnia's independence. The Bosnian Muslims, for their part, suspect the Croats are themselves engaged in land-grabbing.

Even if Muslim and Croat forces in the region unite, they have little chance of repelling the Serbs at present because of their lack of artillery power. The region is kept alive by convoys transporting soldiers, arms and aid. The lifeline of the forces here are not tarmac roads linking the Dalmatian coast with inland Bosnia — they are open to Serb guns — but rutted dirt tracks over barren hills and through picturesque gorges.

• Sanctions problems: The European Commission may ban all transit traffic to Greece through Serbia and Montenegro in a desperate attempt to make sanctions against the recalcitrant "republics" work (Tom Walker writes). But the

Lost battle, page 1
Croat Cruise O'Brien, page 10
Letters, page 11



Gorbachev evokes past with call on republics to form new union

FROM MARY DEJEVSKY IN MOSCOW

MIKHAIL Gorbachev, the former Soviet president, called yesterday for the creation of a new union of states as the only way to prevent the economic and political collapse of Russia. Mr Gorbachev, whose resignation last December brought with it the formal dissolution of the Soviet Union, was speaking at a Moscow press conference held to mark the anniversary of last year's attempted coup.

Only when he came to the fourth point did he strike a half-new note, recommending that the Commonwealth of Independent States might



Bosnia's agony: nurses hold down a crying girl, 3, wounded in a mortar attack, as she undergoes operation without anaesthetic in Gorazde

Muslims fly the white flag of subjugation

ANYTHING will do. A pillow

case, a vest, a rag or a sheet. So long as it is white. Across northern Bosnia thousands of Muslim houses are flying the flag of surrender. It signifies: "Don't shoot, we'll go without a fight."

The flags went up in Muslim Alisici two months ago. Weapons were handed over to the local Serb police without a fight and the village was told to run up the flags. "They said that if we did this then everything would be okay," said Hamdija. But you never know. Like everyone else in Alisici, Hamdija's bags are packed, he's ready to go at a moment's notice.

After the white flags went up, a typed slip from a Bosnian Serb army unit was pinned to the village notice board. It said: "The citizens of Alisici are ordered from today not to leave their village. Three people can go for supplies to Ostra Luka once a day between 7.00-10.00am. They should go to the checkpoint by the school."

On July 25 villagers said that Serbian troops raided Alisici. Cars, tractors, money and jewellery were taken. Fifteen men were hauled off to detention camps, and Medina Alisici, 32, was murdered. "We found her here," said her brother, Ahmet, pointing at the bloodstain on the sitting-room carpet.

The house is dusty now. Mrs Alisici's two little boys are looked after by the rest of the family. No one knows whether her *Gastarbeiter* husband in Germany has received the messages saying that his wife is dead. Phone lines went down a long time ago. A few days ago a message came through from a brother in Slovenia inviting her to stay. Mrs Alisici was buried be-

hind the mosque. "We had to put her there because we were scared that they might shoot at us from passing cars during the funeral," said Ahmet. The cemetery and village lie on the main road between the towns of Prijedor and Sanski Most. "She was the prettiest girl in the village," sighed one man.

The people of Alisici hope they can leave soon. Just after the army said some policemen came to visit. "They were very polite. They told us openly 'you don't have to go, but we can't guarantee your security.' So, of course, we all signed the forms saying that we were leaving voluntarily," said Hamdija.

Bags are packed and papers are stamped and sealed. But the people of Alisici have no means to leave. Like most of the rest of Bosnia, they have no electricity so they cannot watch television. Their radio batteries died long ago. They have no idea what is happening beyond the village. Just help us get to Zagreb, please, we'll take it from there," Hamdija said.

The United Nations High Commissioner for Refugees says that it will not be "blackmailed" into helping people leave northern Bosnia to facilitate "ethnic cleansing". One man in Alisici said: "Of course, we'd like to stay, but can the UN guarantee our safety?"

Three miles down the road is the Serb village of Ostra Luka. Here the talk is of those killed and wounded on the front. Before the war the people of Ostra Luka and

Treaty on Kuriles at hand

FROM JOANNA PITMAN
IN TOKYO

RUSSIA is ready to conclude a "treaty next month on its complete disarmament of the Kurile Islands by mid-1993," President Yeltsin told a Japanese television station at an interview broadcast in Japan yesterday.

In the interview, recorded in his holiday home in Sochi on the Black Sea, Mr Yeltsin said that after consultations with his defence minister, Pavel Grachyov, he had decided that a new union would be advanced — presumably by Mr Nazarbayev — at September's Commonwealth summit. Mr Nazarbayev has set himself apart from most Commonwealth leaders by calling for the establishment of central administrative and liaison bodies.

In his calls for social consensus and his hankering for a union, Mr Gorbachev gave the impression of being still cocooned in his old Soviet world, and several comrades from those days were on hand to give the impression that little had changed. Aleksandr Yakovlev, the father of glasnost, sat silently beside him; Andrei Gorbachev, his former spokesman, stood in the hall.

Yesterday's statement represents a retreat from his earlier offer to Michio Watanabe, Japan's foreign minister, made in Moscow in May, when Mr Yeltsin indicated that troops could be withdrawn from the islands "within one or two years". The small chain of islands — Kamashiri, Etorofu, Shikotan and the Habomai group — were seized by the Soviet army in the closing days of the second world war but are being claimed by Japan.

Hospital operates without anaesthetic

FROM KURT SCHORK
IN GORAZDE

THE young man looked like death in the gloom of his hospital room, a pale writhing with a short stump wrapped in blood-soaked bandages where his right leg should have been.

"This man had an amputation without general anaesthetic," Dr Alja Begovic said. "We don't have the pain-killers or facilities for major surgery here... we use alcohol and local anaesthetic and do the best we can."

The Bosnian town of Gorazde had been under siege from Serbian forces for 146 days until a United Nations relief convoy arrived, with nearly 50 tons of food and medical supplies on Saturday. Nowhere was Gorazde's desperate plight more evident than in the town's Isak Samokovija hospital, where 60 patients were receiving rudimentary care in a building smashed by mortars and without running water or electricity. "Conditions here are disgusting," said Major Lawrence Linden, a French medical officer attached to the UN convoy. "I have seen this in Africa, but never in Europe."

One reporter, a veteran of many wars and battlefield clinics, was so distressed by an operating room where a three-year-old girl and a man in his thirties were undergoing surgery without anaesthetic that he left. Nurses held the girl down as she screamed in pain and the man writhed while a doctor probed deep in his shoulder wound for shrapnel.

"It is very hard to work without anaesthesia... we have very elementary conditions here," said Dr Begovic. "To listen to the cries of that young child is terrible." As he spoke a 15-year-old boy walked into the clinic, gurgling blood from a mouth wound. "We need help, every kind of help," pleaded the hospital's director, Dr Asim Prulina. "We are treating horrible war wounds and we don't even have a surgeon."

The hospital, exposed to sniper fire, had hardly a pane of glass intact and many of its rooms were destroyed. Even wounded people in the hospital are not safe from Chetniks (Serbian extremists), said a resident of the town. (Reuters)



put our kidneys and hearts in which they were going to send to Germany and France in exchange for tanks." Darko becomes evasive when asked if he has seen these bones and where they are now. "They also had special gloves with spikes fitted on for gouging out eyes," claims another policeman.

The breach is total now. People in Ostra Luka, echoing the stories of the local Serb politicians and the local Serb media, say that most of the mosques in the area that have been dynamited were blown up by Muslim militants in an effort to stir anti-Serb hatred among their own people.

Muslim and Croat fighters here have no heart," said Nada, as she grilled fish in her garden. "I don't know what we're going to do in winter, we've absolutely nothing." Her daughter, Bujana, flinched gently with a policeman and asked him how big a Heckler & Koch pistol was. "Quite small," he replied. "Well, Bozo Perovic has got one."

They also worry about the winter. Their fear is such that no one sleeps in the houses along the road now. Two have already been torched. Sometimes the men go to sleep in the woods.

"You never know what will become of you," said Ahmet. • Bonn, Germany, which has been pressing European Community members to take more refugees from the civil war in former Yugoslavia, is now moving to agree with the British view that the victims of the war should be helped to stay near their homes (Ian Murray writes).

Rudolf Seiters, the federal interior minister responsible for finding accommodation for refugees, said in Potsdam yesterday that accepting more now would send out a "wrong signal" to European countries refusing to share the burden. And Helmut Kohl, the chancellor, said recently that accepting refugees would only help Serbia's policy of "ethnic cleansing".

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Roll over, disc jockeys

The birthday of Radio 1 is no date to celebrate, writes Janet Daley

For those too young to remember (or old enough to be muzzy about dates), the fact that this year is the 25th birthday of Radio 1 will seem about right. After all, it was in the 1960s that British popular music lost its provincial tackiness and became world class. My recollection may be clearer than most because I came here in 1965, and my early expatriate impressions are peculiarly vivid. When I left America, the latest record releases from Britain were all over the airwaves.

So from a country where this explosion of foreign talent was reaching every remote corner, I arrived on its own home ground. To my astonishment, I discovered that here in Britain it was almost impossible (at least by American standards of accessibility) to hear the new popular music on the radio. The old Light Programme catered for tastes which were a throwback to the war years. There was something absurdly quaint called Radio Luxembourg. And that was it.

Difficult as it may be to imagine for those under the age of 30, Britain did not permit any privately owned radio stations at all (although, anomalously, there was commercial television, albeit heavily regulated). And for some reason nobody seemed to find this state of affairs alarming, even though a similar government monopoly of, say, the press or book publishing would be obviously sinister. (Imagine a British Newspaper Corporation producing one quality newspaper, one middle-brow newspaper and a cultural magazine, and all other periodicals being outlawed.)

But where there is a market with no legal supplier, there will soon grow up an army of illegal suppliers. Thus the pirate radio stations were born to fill the gap. The BBC responded to the challenge like a dinosaur being divebombed by a fly. With the complacency of a corporate monolith which is also a monopoly, it debated in a leisurely way whether the new music was fit to be broadcast at all. In a paternalistic tones that now seem scarcely credible, it exercised itself over its responsibilities as a monitor of public taste, quite overlooking the fact that so much of the "respectable" popular music broadcast on the Light Programme was tastelessly banal.

But for popular entertainment to be crass and third-rate was no cause for alarm. What was worrying about this new force was that it was rude and socially rebellious. Opting for safety rather than success is the traditional British way. So the new pop industry might be the biggest economic miracle of the post-war years but its brashness was unfit for a public broadcasting service which continued, well into the 1960s, to offer mediocre pap as its mandatory crowd pleaser.

Radio 1 is patronising, dull and moronic. The tawdriness of its phone-ins and jokes have to be heard to be believed

Light Programme listeners would have called "the latest craze". A few of the pirates' more acceptable disc jockeys were recruited but the voice of Radio 1 was more like the old Luxembourg archness: self-conscious "characters" with exaggerated regional accents, or public schoolboys sloping down their accents to sound aggressively matey. And in the end this half-hearted attempt would not do. The BBC either did not understand what was really called for, or would not deign to offer it. So the pirates had to be brought home and legalised. Commercial radio was born, and under its spur Radio 1 gradually shed the dance bands, the cover versions of "his" and the more egregiously avuncular disc jockeys.

Radio 1 is still dull, patronising and moronic. The tawdriness of its perpetual phone-ins and insulting jokes have to be heard to be believed.

No disc jockey uttering such drivel would survive for a quarter of an hour on any two-bit local radio station in the United States. There is a wonderful passage in David Lodge's book *Changing Places* in which the visiting American professor, Maurice Zapp, becomes mesmerised by the dullness of English disc jockeys, who seem to be determined to recite the names and addresses of all their listeners.

Popular culture, when it comes from the bottom up, is still unrespectable. The fact that Britain's popular music is more influential internationally than is its contemporary "serious" music has scarcely touched the old prejudices.

The council tax will further depress the housing market, says Tony Travers

The government is committed to a fiscal reform that will further depress house prices. From April 1 next year, a measure will be introduced that will reduce the value of houses throughout Britain. Nothing can stop it. Ministers' minds are made up.

This measure is, of course, the council tax. Chosen just 18 months ago to replace the ill-started community charge, the new tax is already showing signs of turning into a fair imitation of the levy it will replace. Millions will be worse off and there will be complaints about fairness, particularly in the South-East, where house prices have plummeted. The many newspaper stories in the past few days about middle-income losers must leave ministers with an apocalyptic sense of *déjà vu*.

When Michael Heseltine drove a stake through the heart of Margaret Thatcher's dreadful monster, it seems that some elements of the procedure were not properly performed. Either it was not quite midnight, or the moon was not full. For the creature is risen again, in a

Worse than poll tax?

new form, to stalk the corridors of Whitehall and to inflict new terrors on Tory voters.

The property-price terror has so far been overlooked. By moving from a tax on people to a tax on property, the government has adopted the ideal policy for driving down house prices. When the community charge was unveiled in 1986, ministers accepted in their green paper that because new housing cannot be built instantly, the effect of removing the then property tax — domestic rates — would be to drive up prices. It was estimated that 5 per cent would be added on average. If economic logic dictates that removing a tax from housing will push its price up, the average government adviser needs only a modest research capacity to work out what will happen if a tax is added to housing.

Prices will fall. Perhaps by only a

small amount, but the direction is clear. Moreover, the region that will face the biggest increase in local tax bills next April is the South-East, which has already suffered most from recession.

Recovery in the housing market is widely seen as the key to economic revival. So it is likely that the council tax will come at precisely the moment when it will do the maximum damage to the chances of a recovery in property, notably in the south of England.

Today's Bank of England Quarterly Bulletin points to the fact that a tenth of households now have homes worth less than the value of their outstanding loans. Any additional downwards pressure on prices, however small, would worsen this effect and further delay the possibility of an economic upturn.

Ministers did not plan things like

this. The council tax would rescue

in our tax system. The amount collected ought, in the longer term, to be larger than is currently proposed if local authorities are to regain some of their freedom and responsibility. The council tax in 1993 will raise only 15 to 20 per cent of council income, or less than 10 per cent in Wales.

During one of the past orgies of house price speculation, a sharp rise in property tax would have been a jolly good thing. Commentators from virtually all points of view now concede that Britain should attempt to move away permanently from its boom-and-bust housing market.

If there is any sign in future that overheating is taking place, it would provide an ideal opportunity for the government to push up the yield of council tax, thus applying a downward pressure on prices while giving local authorities a bigger income base. Unfortunately, 1993 will be absolutely the wrong time to put a new tax on property.

The author is a research director at the London School of Economics.

Servant of too many masters

Conor Cruise O'Brien on the feuding at the United Nations

The United Nations is under greater strain now than at any time since the end of the second world war. The strain is falling on the pivotal relationship between the Security Council and the secretary-general.

Last week, while the Security Council was considering the Western draft resolution on Bosnia, the secretary-general, Boutros Ghali, sent a letter to the council warning that UN peacekeeping forces in Sarajevo could be endangered if the council authorised the use of military force to deliver aid to Bosnia. The council's response has been, in substance, to adopt the course against which the secretary-general had warned: its authorisation of "all necessary measures" is universally understood as authorising the use of force if necessary. British diplomats add "in the last resort", but it is the Americans who will determine when the last resort has been reached.

Mr Boutros Ghali's disregarded warning followed shortly on his denunciation of the Security Council for imposing tasks on the UN Secretariat and peacekeeping forces, while council members fail to provide the means either financial or military for carrying out the tasks in question.

In substance, Mr Boutros Ghali's complaint was fully justified, but the manner of its delivery was unprecedented. Under the charter, the secretary-general is something more, but not very much more, than a servant of the Security Council. He can draw situations to the attention of the council, can make recommendations to them, and has the duty of interpreting its decisions, often to the displeasure of some of its members. But no previous secretary-general has actually reprimanded the Security Council, as Mr Boutros Ghali has done.

All of his predecessors treated the council with at least formal deference, and all of them took care to attend its meetings, which it seems Mr Boutros Ghali is not in the

habit of doing. His relations with the Security Council are now such as to raise the question of how long he can remain as secretary-general.

The difficulties between secretary-general and Security Council are symptomatic of the great changes which the organisation has undergone since the end of the Cold war. As long as the Cold war lasted, with the Security Council deadlocked between the superpowers, both sides wored the countries of the third world. The General Assembly was still of some importance, though in prolonged decline. The secretary-general was of considerable importance, as a mediator between East and West.

Since that time, the secretary-general, the General Assembly, and third world countries in general, have all lost influence. Consensus in the Security Council means that the other organs of the United Nations have dwindled. Under the charter, the General Assembly cannot discuss any matter of which the Security Council is seized. With the council fully operational, the General Assembly gets nothing of importance to discuss.

In theory, one might think that consensus in the council gives more authority to the secretary-general, who interprets the council's decisions. But that is not what is happening. In the major

post-Cold-war decisions of the Security Council, it has been the United States, not the secretary-general, which has done the interpretation. So it was with Desert



Boutros Ghali: has US power made the secretary-general's job impossible?

Storm and so it will be over last week's Security Council decisions. To the secretary-general is left the task of implementing poorly funded policies over which the council is vacillating, because the United States is vacillating.

It is natural that Mr Boutros Ghali should resent the downgrading of his own role. But he also

enhances the dignity and perceived legitimacy of the council. It would also somewhat diminish the inevitable predominance within it of the United States.

9, the last day of the Tory conference and John Lennon's 52nd birthday. Weiss has also declared the occasion "European peace and harmony day", a sentiment John Major will hope reaches as far as Brighton. Perhaps the Tories should imitate the Rainbow conference. In place of contentious resolutions there will be a dozen Lennon songs, including such classics as "We Can Work It Out".

Sixth sense

AUDIENCES at the one-woman show *Extraordinary Women*, which opens in London next month, may consider that its star Susannah Self is the most extraordinary of all. Jackie Kennedy, Maria Callas, Mary Queen of Scots



certain to feature prominently on the menu of many a Brighton seafood tearoom.

• Schoenberg has never been the easiest of composers, as Willard White will confirm. The American baritone, playing Moses in Schoenberg's *Moses and Aaron* at the opening performance of the Edinburgh International Festival, stopped one rehearsal and declared in exasperation to the BBC Symphony Orchestra and the 200-strong Festival chorus: "Who does this guy Schoenberg think he is?"

Beyond the grave

THE Edinburgh Festival would be incomplete without at least one bunch of iconoclasts declaring the Fringe has grown too respectable and announcing they are setting up a fringe on the Fringe. Variete Chameleons, the 14-strong Berlin cabaret act, are the first act this year to go beyond the Fringe.

Sir Richard Body, the only Tory MP to fly to Copenhagen for the *Nej* vote, says: "We will be inviting our Danish friends. It is a very attractive idea for them to be with us." The Danes are keen to come. Hans Kuster, secretary of the Danish Anti-EC Movement, says: "We would like to go and address a meeting with Lady Thatcher. We hope she will speak."

Top of the Thatcherites' invitation list is Schlifer. The Danish prime minister, however, is only likely to accept if he has resigned from office, which, according to Danish press speculation, is an increasing possibility.

The Tory MPs are already searching for the nearest Danish restaurant to the conference centre to wine and dine their counterparts, and Danish nasties are

grave." Edinburgh District Council, however, are wary of the venture. "They need to ask us first. A street is one thing but a graveyard is quite another."

Red route

COMMUTERS in the South East braving late, dirty and generally unpleasant trains can take comfort that Ken Livingstone, well known champion of commuters' rights, has taken up the cause. Except that the former GLC leader, the architect of the ill-fated "fares fair" cheap travel policy, has become whatever is the transport equivalent of a poacher turned gamekeeper. Livingstone is currently to be heard as the mouthpiece of British Rail, advertising the delights — and the cheapness — of Network SouthEast on Capital Radio. Livingstone is at present holidaying in America, where he has surely eschewed the stretch limousine for what the Americans refer to as "mass transit". A spokesman for British Rail says: "We decided to use him because as a Londoner he uses the train and is almost becoming a personality." Almost?

• The decision of the majority of dentists to refuse to take on more National Health Service patients in protest at fee cuts takes up almost the entire front page of *The Probe*, the journal of the profession. The magazine is full of letters from dentists highlighting poor pay and conditions. Advertisers seem unconvinced. The present issue contains a brochure advertising holiday property bonds in Tuscany and other exotic locations. For a minimum £2,000 investment.

• While the knives are being sharpened in the approach to the Tory conference, George Weiss, leader of the Rainbow Connection, is promising that his party conference will be a model of tranquillity. The date has been set for October



...and moreover

CRAIG BROWN

The obituaries of Lady Rothermere have made interesting reading. The obituary in the *Daily Mail* was a classic of its kind. Phrases I particularly treasure include, "She didn't just walk into a room. She made an entrance." "She made most other people seem slightly shadowy." "Young and old were drawn to her like a magnet." "She was a great connoisseur of champagne, and woe betide any host who tried to serve her the wrong marquée."

Two mentions were made of the fact that, as an actress, she had once played Sally, "the girlfriend of Douglas Bader", in *Reach for the Sky*, but the obituarist's sense of propriety prevented him from adding that Sally is the feckless girlfriend who, after Bader's disastrous crash, says something along the lines of, "No legs? I'm off."

There are moments when we in the British press can show extraordinary sensitivity; these moments usually coincide with the death of a proprietor, or a proprietor's wife. Many of the scrupulously generous obituaries of "Bubbles" Rothermere have paid tribute to her wit, all latching on to the same example. When asked for her verdict on the new nightclub, Regine's, situated just off High Street Kensington, she said, "This place will never succeed because it's too far out of London."

But was it wit? For me, wit is based on some kind of imaginative or ironic leap. From my small experience of her, I would say that Lady Rothermere's remark

at all the best openings. "Here — YOU." Lady Rothermere beckoned a young man — as far as I know, a total stranger — to the telephone. "For God's sake, tell her where we are!"

The young man took the phone, and tried to spell out the address. Lady Rothermere snatched back the telephone. "Have you got that, then? What? WHAT? She looked around the room in exasperation. "Someone else! Quick, quick!" Again, she handed someone to the telephone, and again the poor person tried to struggle with her problem.

The problem, it emerged, was this. Lady Rothermere had been driven to the flat by a chauffeur, and thus had no idea of where she was. On the telephone was her maid (Portuguese, if I remember rightly) who in turn had Lord Rothermere waiting on the line. Lord Rothermere, due at the party, was speaking from his own chauffeur-driven car, with no idea of where he was meant to be.

Thus the husband who wanted to know where he was going was asking the wife who didn't know where she was, and all via the maid who couldn't speak English. Meanwhile, guests were being dragged to the telephone one by one, only to be replaced by someone else at the first sign of any muddle.

"With the instinct of the born hostess," wrote her obituarist last week, "she always knew when to move people on or create a diversion." Hear, hear!

TORY anti-federalists have summoned reinforcements in their battle against the Maastricht treaty at the party conference next month. A Danish invasion of Brighton is planned — led, the anti-Maastricht campaigners hope, by Poul Schlifer, the Danish prime minister. He and the victorious architects of the "Nej to Maastricht" campaign can expect to be feted at fringe meetings and campaign rallies all over town.

Ever since the Danish referendum, anti-federalist Tory MPs have maintained close links with their Danish counterparts. Last month Henrik Ovretveit, one of the *Nej* leaders, met Tory MPs including Bill Cash and James Cran in London to help plan the British campaign. Knud Pedersen, one of the founders of the 20-year-old Anti-European Community Movement, also visited London to address the Conservative European Reform Group and the Campaign for an Independent Britain.

Sir Richard Body, the only Tory MP to fly to Copenhagen for the *Nej* vote, says: "We will be inviting our Danish friends. It is a very attractive idea for them to be with us." The Danes are keen to come. Hans Kuster, secretary of the Danish Anti-EC Movement, says: "We would like to go and address a meeting with Lady Thatcher. We hope she will speak."

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"We want to perform to the average person in Edinburgh," says Hack Ginda of the troupe, "the cemetery seems like an ideal location. I think if I was dead I'd appreciate someone dancing on my

JP 150



LAST YEAR'S MAN

There is a note of smug irony in former President Gorbachev nowadays as he looks back over the momentous changes in his country since the bungled coup that briefly deposed him a year ago tomorrow. President Yeltsin's beleaguered position is beginning to resemble his own before the coup.

Industrial output is still falling as economic reform boggs down. Ethnic clashes continue along the periphery of the ramshackle empire. Nationalists, making common cause with hardliners in the now illegal Communist party, accuse Mr Yeltsin of selling out to Western capital. Crime, corruption and extremism are rife. The army is restless. Rumours spread of a new coup.

The former Soviet leader is far from reconciled to his loss of power. He has repeatedly foreshadowed a return to elected politics. But his speeches at home and abroad show a hankering still to play a significant role in his country's future. His personal antagonism to Mr Yeltsin has, if anything, sharpened over the past year. He sees the new man in the Kremlin as the chief enemy of his possible rehabilitation. A series of petty slights, reminiscent of the way unpersuaded were treated in communist days, has driven him into more and more pointed opposition. In his warnings of possible revolt and dictatorship he imagines a country summoning him, like de Gaulle, from retirement to safeguard democracy.

Russia is not listening to the prescriptions from Colombe-les-Deux-Duchas. Mr Gorbachev's call for a new union of states may make economic sense in the long run. Today it is naive and out of touch, an apparent attempt to justify with hindsight a failed "commonwealth" that had neither commonality nor wealth. Mr Gorbachev has misread the changes that have happened since he left office. Mr Yeltsin has indeed suffered a sharp fall in popularity. But no politician in the cacophony of competing recipes for Russia's salvation can expect to sustain the 90 per cent support that Mr Yeltsin earned after his heroic stance atop a

tank. For all the grumbling, the disillusion, the street demonstrations, Mr Yeltsin's popularity is still higher than Mr Gorbachev's was in his final two years.

The true difference is that Mr Yeltsin's authority is derived from the ballot box. Despite calls for a return to authoritarian rule to cure the social and economic malaise, most Russians still have an unsated thirst for democracy. What they have not yet developed are institutions to make that democracy durable.

The bickering of parliamentary factions, their constitutional challenge to the prime minister, Yegor Gaidar, the power struggle between the reformers and the old *apparatchik* in the town halls, the maverick ambition of vice-president Rutskoi, all have thwarted the reforms that Mr Yeltsin promised his electorate. He has therefore increasingly resorted to presidential decree. But he is not attempting to bypass democracy. For most Russians he is, to a dangerously exposed degree, the sole embodiment of their fledgling democracy. They do not want to see that destroyed.

In dwelling on the evils of inflation, price rises, unemployment and strikes, Mr Gorbachev ignores much of what has been achieved over the past year. The stifling dictatorship of central control has mostly been swept away. Prices have been freed, bureaucrats humbled, entrepreneurs given their head, the country opened up physically and psychologically to the outside world. But the cost has been high: Russian heavy industry lies in bankrupt ruin.

Mr Gorbachev can rightly claim credit for steering the country to the brink of change. Without his *glasnost* a Brezhnevite communist party might still be in power, erecting new iron curtains against reformers in the rest of eastern Europe. But his time is done. Today belongs to Mr Yeltsin. He proved himself a more courageous politician in facing up to the logic of democracy and a market economy. He has the legitimacy to continue the long march of reform.

PRESERVING A PARK

Parish pump politics can be the most passionate kind. Who is to decide how to keep an area of great natural beauty both unspoilt for visitors and profitable for those who live there? Who may build a garage onto a thatched cottage and who may not? Bitter argument regularly erupts over the use and appearance of some of the finest landscape in England, such as the moors and villages of north Devon and west Somerset which make up Exmoor.

The "big is beautiful" reform of local government of the Edward Heath era survived Margaret Thatcher only to meet its demolition man in Michael Heseltine last year. Now a commission is to tour the country abolishing, merging and occasionally dividing local authority areas. Next month it is due to look at Exmoor, where local government is a victim not just of bigness but of labyrinthine complexity.

The Exmoor Society yesterday made a novel contribution to this local government debate. It urged the setting up of a new Exmoor national park local authority, sweeping aside not just two tiers of elected local government but also the appointed national park authority, leaving just one fully elected authority.

At present the Exmoor National Park Board has to share its responsibilities not only with local district and county councils but also with some 25 other government departments or agencies. As a local government structure this is neither efficient nor responsive.

National park authorities have some of the planning powers of local authorities but their membership does not represent the local community. Because of overlapping jurisdictions they have often been in conflict with local groups. The proposed single tier

authority may therefore sound like a surrender to local interests, especially an electorate of farmworkers, farmers and land-owners whose concerns are assumed to be more economic than aesthetic.

This is shortsighted. Tourism and leisure can no longer be regarded as inimical to the serious business of land management. The new agricultural revolution has pushed tourism to the top of the nation's land use priorities. Those who own the land and use it, and those who visit it and enjoy it, have a new coincidence of interest. The same congruence has happened in the fishing villages which dot the West Country coastline. Villagers may still be partly dependent on fishing, but they depend at least as much on holidaymakers.

The old rural conflict between pleasure and business, between locals and visitors, country and town, is coming to an end. So is the assumed conflict of interest between those who manage a national park and those who live and work in it. And so, therefore, is the theory which says the latter can elect their local councils, but the wider public interest in conservation and the environment cannot be trusted to them, and must be imposed on them by a body of outsiders. It is not in the interests of a rural community to despoil its greatest economic asset, its landscape, in pursuit of some other economic good.

As the Exmoor Society says, the best people to look after Exmoor are likely to be the people who live there, under a unitary elected authority. The wider national interest in the conservation of the moorland can be met by the enforcement of planning law and by the existing appeal system. If conflict there is to be, then it should be between a local council and a national interest, not within a

plethora of local authorities.

BLAMING THE BELTWAY

At a certain moment in every election, somebody steps forward to deplore the role of media manipulation in influencing its course. Ross Perot launched an entire candidacy on the basis that such manipulation had taken his rivals so far from the mood of the "ordinary voter" as to need urgent rectification.

His chosen means was to go straight to the people... tell them like it is... look them in the eye and tell the truth. And the means by which he did so? Via the media, of course. Mr Perot indeed was not an alternative to media manipulation. He was manipulation pure and unadulterated. He went on every television programme. He hogged the chat shows with his homespun homilies. He bought advertising time across the nation. He invited telephone callers to ring in their support. Electronics were the way into the homes and hearts of the American people. Electronics would be his hustings.

The only real change that Mr Perot brought to the campaign, apart from a momentary excitement, was to suggest a better form of manipulation. American campaign politics remains, to the European observer, curiously old-fashioned. The big rally, the visits to every state, the glad-handing and the baby-kissing, the silly hats and balloons all seem to hark back to days when the backs of railway carriages.

To this has more recently been added the photo-opportunity and the sound bite, both aimed to the needs of television and the press. Both are easily stage-managed. The scene to be visited can be scouted and the one-liner prepared in advance, to be parroted at every stop. Even the most risky of encounters, studio interviews and debates, are prepackaged, with "hosts", chairmen

and journalists set to cross-examine the candidates on subjects agreed in advance. The topics are those in common currency. The result is bland and unappealing. Like watching grand-prix racing, the thrill lies in the possibility of an accident.

Mr Perot recognised that the two chief means of communication used by virtually every American are the television talk-show and the telephone. By combining the phone-in with the talk-show, he was able to convey his reaction to the "concerns of the average American" more immediately than by any other form of mediation. He needed no journalists to ask him questions culled from the morning's press. He needed no carefully prepared position papers. Provided the policies are bland enough, so can the risks a candidate may take in advancing them. He can even risk a straight phone-in question from an ordinary voter.

Now that Mr Perot's candidacy is no more, his lesson appears to have been learnt by Bill Clinton and George Bush. They too are talking to the talk-shows. They too are risking live encounters with electors. Mr Clinton even treated a live audience to a few bars on a saxophone. But to what end? The purpose is no different from that which led Roosevelt to his whistle-stops, Kennedy to his television debates and Reagan to his waves from the steps of helicopters.

Campaigns are about the diverse images that merge to make up a picture of confidence and trust. To be sure, these are derived from the media. But anybody who supposes that such images can be free of manipulation is mistaken. The only consolation is that manipulation can go so far, but no further. Ultimately, the truth will out. That message, at least, remains from Mr Perot's failed campaign.

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 071-782 5000

Guildford Four: quest for whole truth

From Lord Scarman

Sir, As I understand the official announcements (report, August 1; letters, August 6, 8) the May enquiry will end without any further public hearings in the Guildford and Woolwich court cases and without the publication of a final report other than "a draft report" to be made available to the Royal Commission on Criminal Justice.

I sympathise with Sir John May in difficulties not of his own making. But closing down his enquiry in this way will have the serious consequence that we shall be deprived of a full public investigation into "the circumstances leading to and deriving from the trial" of the Guildford Four, as promised to us by Sir John's terms of reference.

Sir John's task is to enquire into and report upon facts. The royal commission's task is to study and report upon general issues of law reform. One very important area of fact has not yet been fully investigated by Sir John, namely the extent to which the conduct of police

officers of far greater seniority than those presently accused of perverting the course of justice may have contributed to the miscarriage of justice that ultimately ensued in the two cases.

Unless Sir John has the opportunity to enquire into all the circumstances and to do so publicly, I cannot see that the whole truth will ever be known. The opportunity to find the truth will slip away if the arrangements now proposed for winding up the May enquiry are implemented.

If the delays that have arisen in bringing the presently accused police officers to trial mean that Sir John cannot complete his enquiry until they have been tried, so be it. It is very much in the public interest that the full facts relating to this serious miscarriage of justice should be made known, even if we have to wait for it.

Yours etc,
LESLIE SCARMAN,
House of Lords.
August 13.

Lone parent benefits

From the Chief Executive of Gingerbread

Sir, We take issue with your report ("Lilley considers benefits cuts for unmarried mothers", August 13). Child benefit and one-parent benefit are not paid to lone parents as additional benefits on top of income support. Both are deducted from income support payments and lone parents receive no extra money.

All working parents on low incomes are entitled to claim family credit after working 15 hours per week, rather than the 24 hours previously required. There is no special provision for lone parents.

There are now 1.3 million lone parents in the UK; the figure has never been as high as the 1.5 million referred to in your article.

While it is true that lone parents can earn more than parenting couples before losing housing benefit, the amount involved is £25 per week. This would cover only half of the average weekly costs of childcare, which is a necessity for any lone parent trying to get off benefits and back into the workforce.

No lone parent will receive the

maintenance payments traced by the Child Support Agency as additional payments on top of income support. They will be deducted from lone parents' income support payments. Yet lone mothers who do not wish to create hostility towards themselves or their children by naming their ex-partner will have their benefits cut.

Rather than eroding this low level of support, the government should use its creative energy and resources more effectively by making affordable childcare available to lone parents, most of whom are prevented from working only by the abysmal lack of childcare facilities.

The fears of Peter Lilley, the social security secretary, that a rise in lone parenthood would increase crime rates are groundless. Home Office figures published last month prove that poverty is the major factor in pushing up crime rates. The way out of the poverty trap is not through moralising and financial penalties, but through childcare facilities that enable lone parents to return to work.

Yours sincerely,
MARY HONEYBALL,
Chief Executive, Gingerbread,
35 Wellington Street, WC2.

Privatised services

From Mr A. A. Painter

Sir, Paul Rigg, county treasurer for West Sussex, makes a spirited and persuasive defence of local government in his article, "Doing away with the doom-mongers" (Management, August 11). However, he makes the same mistake as other apologists for the enormous cost of local government by assuming that local services must be provided by complex local bureaucracies.

Local government is a collection of unrelated services held together by the common need for finance, in management and operational terms there is no reason why roads, education, planning, social services, fire, refuse, libraries, environmental health and trading standards should be run by the same organisation.

Nor is there any justification for their being discharged by public employees nominally controlled by councillors elected by a tiny minority of the stable long-term operator.

We have gone round in a circle. Bring back the regulated services, and let bus operators serve the public properly and economically once again. Sadly, it was a Conservative government with its passion for deregulation, which brought this about.

Apart from a small group of publicly accountable officers of high quality with responsibility for policy, strategic planning and finance, all local government services could be privatised.

It is unfortunate that the government is once again tinkering with the structure of local government without first considering its functions.

Yours faithfully,
A. A. H. WATTS,
Streatwell Lane,
Bognor Regis, West Sussex.

August 12.

Cost of planning rules

From the Vice-President of the Royal Town Planning Institute

Sir, We should not over-react to the evidence advanced by the Council for the Protection of Rural England that councils are being intimidated into giving dubious planning permissions for fear of paying costs if they refuse (report, August 8).

In relation to the number of appeals against refusal of permission, costs are awarded against local planning authorities in very few cases. Costs are not a deterrent in the vast majority of cases where sound planning reasons, environmental or otherwise, are given as a basis for turning down a proposal. This process is assisted by the greater importance now accorded to the integrity of the development plan.

Councils are a real threat only when a local authority's decision is unreasonable or arbitrary in relation to that plan, or sometimes when an authority acts against the advice of its planning officers. Costs do not seriously influence the proper decision-making process, but can correct the occasional maverick decision which results in unfairness to applicants and from which some protection is needed.

It is surely not beyond the capacity of an authority with a serious case to provide sufficient justification for a decision, whether the reasons are environmental or not.

Yours faithfully,
MARTIN BRADSHAW,
Vice-President,
Royal Town Planning Institute,
26 Portland Place, W1.

August 13.

and commercial". Two points in 1990 Ind Coop's Burton Ale, part of Allied Breweries, won the best beer championship, and the judging panels at the championship are not made up just from Camra members.

I sat on the mild ale panel this year with two distinguished brewer, Mr Reg Drury of Fuller's and Mr Charles Eld of Morelles of Oxford, along with the cellarman from a pub in south London. The final judging panel included Mr Fritz Mayring of the Anchor Brewery in San Francisco, who does not brew real ale by Camra's definition; Mr Bill Tidy, the cartoonist; Mr Colin Deller, author of the Inspector Morse novels; and Ms Catherine Maxwell-Stuart of Traquair House, the stately home in Scotland.

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Pitfalls of Balkans intervention

From Lord Merlyn Rees

Sir, Lady Thatcher (letter, August 14) is talking and writing about Yugoslavia with obvious lack of knowledge of the history of the Balkans and without experience in this field in the second world war.

"Air strikes" without the benefit of ground control from very near the target would be grossly inaccurate. Ground controllers would need to be part of a land military formation, with all the technical back-up involved. It would not all stop there, as those who knew the Balkans in 1945-6 could testify. Air strikes will never win the guerrilla war that would ensue.

I speak not from my experience as an ex-army and RAF minister in the 1960s but as operations officer to 324 Fighter and then Fighter-Bomber Wing through Sicily to Salerno, to Anzio, to the South of France, and as someone who was briefed to be ready to be part of an airborne takeover of a Hungarian airfield in 1945. From Klagenfurt and Zeltweg I saw the result of the hatreds of the Slovenes, Croats and Serbs as first hand.

Sicily and Italy were not the desert;

Yugoslavia is not Iraq. Lady Thatcher is wrong.

Yours truly,
MERLYN REES,
House of Lords.

August 14.

From Mr Milan Krmek

Sir, In your leading article, "No peace for Serbia" (August 15), it is stated that to counteract a Greater Serbia will lead to "a massive defeat for international law".

Surely this defeat has already taken place with the dismemberment of the sovereign state of Yugoslavia and the recognition of some of its constituent republics as countries in their own rights, without the due process of international law having been applied in a court to define true international borders based on historical and ethnic grounds.

Yours faithfully,

MILAN KRMET,

157 Grange Road,

Lechlworth, Hertfordshire.

August 14.

From Mr Noel Ayliffe-Jones

Sir, The attack on the small town of Konjic, in eastern Herzegovina



COURT CIRCULAR

BUCKINGHAM PALACE
August 17: The Princess Royal this morning visited Kyle and Fortree and was received by Her Majesty's Lord Lieutenant for Ross and Cromarty (Captain Roderick Stirling of Fairburn).

Her Royal Highness visited the BUTEC Base and opened the Lochalsh and Skye Swimming Pool in Kyle.

The Princess Royal afterwards opened the Skye and Lochalsh Enterprise Building in Kyle.

Her Royal Highness this afternoon visited Stornoway and was received by Her Majesty's Lord Lieutenant for the Western Isles (The Earl Granville).

The Princess Royal opened the Bethesda Nursing Home and Hospice and afterwards visited Dun Eisteann and the Alzheimer's Day Centre.

Church news

The Rev William Stock, Team Rector, North Shields: to be also Rural Dean of Tynemouth.

The Rev David Thayer, Team Vicar, Lowestoft and Kirkley: to be Ecumenical Chaplain at St Helena Hospice, Colchester.

The Rev David Williams, Team Vicar, Thorverton, Cadbury, Upton Pyne, Brampton Speke and Newton St Cyres: to be Team Rector, same benefice.

The Rev John Wilson, Vicar, Lakenham, St Mark: to be also Priest-in-charge, Trowse.

The Rev Barry Wood, Assistant Curate, St Paul with St Luke, Trawmore: to be Team Vicar, Chester Team Parish.

The Rev Hugh Wright, Assistant Curate, St Martin, West Drayton: to be Priest-in-charge, St John the Baptist, Ryde, Isle of Wight.

Dr Elizabeth Varley, Adult Education Adviser (Durham): to be Social Responsibility Adviser (Newcastle).

Glenn Miller revival

The Glenn Miller Story will be shown on a soft screen in stereo in an aircraft hanger as part of the USAF anniversary celebrations at the Imperial War Museum, Duxford, Cambridgeshire, on Saturday.

It will be the first time the museum has been open in the evening for such an event and cinemagoers are being encouraged to wear period clothes. The bandleader was killed in an air crash after playing for troops in Britain during the second world war.

Today's royal engagement

Queen Elizabeth The Queen Mother will visit the Heriot-Watt Centre and Oil Terminal at Flotta, Orkney, at 11.00.

Telephone 071 481 4000

BIRTHS

AL-HAJJI - On August 14th, at the Royal Maternity Hospital, Wellcome, a son, Maha and Hama, a daughter, Masha.

ANTONIOU - On July 21st at Royal United Hospital, Bath, to Lucinda (nee Royle) and Andrew, a son, Oliver Nicholas Stars.

ASHFIELD - On August 18th, to Carol and Tony, a beautiful daughter, Sophie.

BEST - On August 18th, to Kate (nee Nelson) and Tony, a daughter, Nancy Phillips Nelson.

BIRKBECK - On August 18th, to a son, Dominic, a son, Alexander James Bonwell.

BUNTING - On August 14th, to Caroline (nee Sabine) and Bernard, a daughter, Emily Anne.

BUSCH - On August 18th, to the Queen Charlotte's Hospital, to Anne (nee Hobson) and Anthony, a son, Thomas Peter, a brother for Nicholas.

CADBURY - On August 13th, 1992, to Michelle and Justin, a son, a daughter, Sophie, a son, Rupert and Leander.

COLLINS - On August 10th, to Emma (nee Holmes) Siddle, and a son, David, a daughter, David Siddle, a brother for James.

CORSAK - On August 14th, at Queen Charlotte's Hospital, to Anne (nee Holmes) and Jon, a son, Dominic, a daughter, Sophie, a son, Alexander William Michael Stewart.

DIMMICK - On August 10th, to Claire (nee Bindley) and Richard, a son, James.

FERRAND - On August 13th, 1992, to Claire (nee Bindley) and Richard, a son, James.

GOACHER - On August 6th, 1992, to Catherine (nee Cox) and Paul, a daughter, Anna.

GRIMM - On August 13th, 1992, to the Portland Hospital, to Diane (nee Williams) and Andrew, a son, Alexander William Michael Stewart.

HOFFER MILLAR - On August 15th, 1992, to Pip (nee Smith) and Simon, a daughter, Vannessa, a sister for William, Thomas and Henry.

ILLINGWORTH - On August 12th, to John (nee Morgan) and James, a daughter, Georgia Kita.

DEATHS

LINIFORD - On August 8th, 1992, to Anne (nee Hargreaves) and Stephen, a brother for William.

MICHAELSON - On August 12th, 1992, in Ballymena, County Antrim, to Elizabeth (nee Paul) and Shane, a son, Mike and a daughter, Michelle, a son, Michael.

PEAREY - On August 14th, to Christine (nee James) and Richard, a son, Andrew, a brother for William and Eleanor.

ROSEBERRY - On August 16th, 1992, in the Human Hospital, to Kathryn (nee Bernice) and Bernice, a sister to Lisbeth Faye.

THOMAS - On August 14th, 1992, to Catherine (nee Adams) and David, a daughter, Madeleine, a daughter, Anna.

WILSON - On August 14th, 1992, to Susan (nee Young) and Alexander, a son, Phillip, a son, Philip and Miranda.

WILSON - On August 16th, to John (nee Walker) and John (nee Walker), a brother for Peter Frederik.

GOLDEN ANNIVERSARIES

TIMONEY-CHAUDRY - On August 18th 1992, at St Giles Church, Oxford, Craig and Stephane.

DEATHS

ANSON - On August 13th, 1992, suddenly, while on holiday in Scotland, to Christopher Malcolm Allison, dearly beloved husband of Christopher, a son, his father, grandfather and stepfather. Private funeral in Titledhead, Family flowers only. Memorial Service in Bristol to be announced later.

Focus on early telescope

BY NICK NUTTALL
TECHNOLOGY CORRESPONDENT

A CRUDE telescope which would have allowed English commanders to spot Spanish galleons over a mile away while giving Elizabethan astronomers unrivalled glimpses of the moon and stars has been built at Imperial College London.

Colin Ronan, who put together the device in collaboration with Gilbert Satterthwaite, based the design on a book of military and naval inventions, written by William Bourne, the mathematician in 1578.

Mr Ronan, who last year offered powerful evidence that a long forgotten English mathematician and surveyor, Leonard Digges, should be credited with the invention of the telescope, said constructing the device offered further proof of Digges's claim.

The attempt to build the telescope followed Mr Ronan's studies which he believes show that Digges invented an astronomical telescope in the 1550s, more than 30 years before rival Dutch claims of 1608. Mr Ronan, vice-president of the British Astronomical Association, became intrigued by telescopes after reading Bourne's book in the British Library.

Bourne says: "For to see any small thing of great distance from you is required the aid of two glass and one glass must be made of purpose".

Said Mr Ronan: "Now this is the principle of the telescope and it is the first, as far as I know, statement of the principle in print".

Building the reflecting telescope, which consists of a convex lens at the front and a curved mirror mounted at the back, has led to some surprising findings. Mr Ronan discovered that when images are viewed from below or from the side they are inverted, which Mr Ronan says, for military and naval purposes "would have been a bit of a devil".

What solved this difficulty was referring to work by Sir Isaac Newton of a century later. Newton designed a reflecting telescope which also gives an inverted image yet his drawings of a weathercock are portrayed upright.

The solution to seeing an upright image, and which is how the Elizabethan telescope has been built, requires a viewer to stand over the end looking backwards into the box.

It is convinced that not only did the Digges family build the reflecting telescope but also probably experimented with refracting telescopes of the kind which Dutch rivals sold in 1608 and which Galileo used in 1609.

It is also believed that the Digges family may have been the first to use lenses to correct for chromatic aberration.

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OBITUARIES

ANTHONY McNULTY

Anthony Bernard McNulty, MBE, the first secretary of the European Commission for Human Rights, died on August 7 aged 81. He was born on May 25 1911.

TONY McNulty belonged to that post-war generation of concerned lawyers who turned human rights into a legal issue. As an adviser working for the Council of Europe in the 1950s, then as founding secretary of the European Commission for Human Rights from 1961, he helped to fashion, maintain and run the judicial machinery which, three decades later, is already taken for granted.

The alleged torture of internees in Northern Ireland, brought before the Commission by the Dublin government in the 1970s was among the cases investigated and referred to the European Court of Human Rights under McNulty's stewardship. In 1978 the Court cleared the British security forces of the torture allegations but found them guilty of "inhuman and degrading treatment".

Other issues were resolved out of court through "friendly settlements" — a system which he again pioneered in Strasbourg. Instinctively suspicious of government — any govern-



ment — he was ever a champion of the common man.

His own background, however, was far from common. The son of Canon Bernard McNulty, at one time the vicar of Tysoe, Warwickshire, he was clever enough to win a scholarship to a Winchester where, lean and long-legged, he distinguished himself as a long-distance runner.

From there he went to Magdalen College, Oxford, to read law and qualified as a barrister in 1939. Before he had time to practise, however,

EVA FOURNIER

Eva Fournier, London correspondent of *France Soir* during Britain's negotiations for entry into the European Community and one of the outstanding French foreign correspondents of the post-war years, has died in Paris aged 77. She was born in Lusanne.

AS LONDON correspondent of *France Soir* during its heyday, Eva Fournier worked from an office in the *Daily Mirror* building in Holborn Circus. She served here during the late 1960s and early 1970s, the crucial years when Britain's entry into the European Community was being decided.

Her staunch pro-British stance did not endear her to the Pompidou government back in Paris. But she was a self-confident journalist and one of a long line of foreign correspondents who considered their influence to rival that of ambassadors to the countries they worked in.

Eva Fournier was one of the stars of Pierre Lazareff's reign at *France Soir*, and one of that charmed group who gave to that Paris daily its flair and

he was caught up in the second world war, serving with the 16th/5th Lancers in North Africa.

He later joined the military staff and ended the war as a lieutenant-colonel, working as a legal adviser in Vienna where he was appointed a Military MBE. There he also developed his natural interest in human rights before this had become a fashionable cause. It was to dominate the rest of his career.

Following demobilisation, he remained on the Continent, engaged first on legal work resulting from the war before joining the Council of Europe as a counsellor and becoming deputy director of the European Convention of Human Rights in 1954.

Speaking and writing perfect French and German, he worked obsessively long hours throughout his time at Strasbourg, taking his holidays at his house in La Gaudie, near Nice, until retiring aged 65, in 1976 and returning at last to this country.

Far from seeking out a quiet life, however, McNulty set about creating more organisations. First he founded (and largely financed) the British Institute of Human Rights, now based at King's College, London. Then five years ago, already in his mid-70s, he started the Adio Trust (so called, he once cryptically explained, after a horse) to help provide courses and books for people in prison.

At one time he was said to be paying up to £20,000 a year towards its upkeep and was processing up to 20 applications a day from prisoners in jail seeking help to rehabilitate themselves, which the prison authorities also wanted.

But McNulty's health, so robust all his life, began to break down 18 months ago and he was forced to ask the National Association for the Care and Rehabilitation of Offenders (NACRO) to take over the administration of the Trust.

Tony McNulty, who never married, was a deeply compassionate man and devout Anglican. He had a remarkable wide knowledge of the areas he became immersed in and a quiet man, even though this belied his strength of character. He loved good food, fine wines and above all the company of friends — many of whom were rich and influential. It was to the less well privileged, however, that he gave most of his time.

From there he went to Magdalen College, Oxford, to read law and qualified as a barrister in 1939. Before he had time to practise, however,

known as a "tabloid broadsheet" — tabloid in its popular appeal and mass circulation, and broadsheet in its seriousness.

She entered the world of newspapers during the second world war in Cairo as editorial secretary on the *Journal d'Egypte*. Her first journalistic appointment was as the Cairo correspondent for *La Marseillaise*, the Free French newspaper in London. Soon she went to represent *Le Monde* in Tehran, then switched to Scandinavia.

Once Lazaroff enticed her to *France Soir*, she went to Brussels, Warsaw, Madrid and New York, before assigning her to London. Her love for Britain was proven even against her ideological distaste for Thatcherism. She continued to work here regularly, and on the desk of her Paris study stood a radio permanently tuned in to the World Service of the BBC.

She was at one time married to the French news agency AFP correspondent, Gaston Fournier. There were no children. To the end of her life, she remained a passionate interest in world affairs, and loved and lived for newspapers.

ETAN BERGLAS

ETAN Berglas, chairman of the board of one of Israel's largest banks and a former economic adviser to Israeli governments, died on August 8 aged 58.

As a member of the board of Bank Hapoalim, Berglas helped bail out key Israeli

AIR MARSHAL SIR EDWARD CHILTON

Air Marshal Sir (Charles) Edward Chilton, KBE, CB, a former commander-in-chief, RAF Coastal Command, died on August 4 aged 85. He was born on November 1, 1906.

"CHILTON" Chilton was shot down once during the war, not by the Germans but by an American anti-aircraft battery practising for D-Day. They mistook his Tiger Moth aircraft for a target plane. Ten out of ten for marksmanship, zero for aircraft recognition, he wryly remarked after bailing out over the Bristol Channel.

He owed his survival to his impressive strength as a swimmer — and also perhaps to his specialist navigational training: his fellow crew members started swimming the wrong way until Chilton pointed him in the right direction.

The first RAF pilot to be campaigned from a carrier, "Chilie" went on to become a leading authority on maritime air power, and one of its most stalwart advocates. During the war he commanded the station at RAF Chivenor, leading sorties against U-boats in Britain's south-western approaches. Then later, as a senior air staff officer (SASO) at 19 Group headquarters in Plymouth, he ran similar operations in support of the Allies on D-day.

Chilton's loyalty to Coastal Command was, if anything, still more notable during peace-time when he turned to fighting the battles in Whitehall. Time and again he had to repel the Royal Navy, who, particularly under Admiral Lord Louis Mountbatten, looked askance at the RAF's maritime role.

He was himself born into a naval family at Portsmouth, where he was taught at Portsmouth Grammar School. From there he went to the RAF College at Cranwell, and was commissioned into the RAF's maritime role.

The pattern of his service career was quickly evident. In



those days, pilots had to specialise in a secondary skill, and Chilton was sent on a navigation course. Despite his initial reluctance, he quickly developed an enthusiasm for it, and was later to become a fellow and vice-president of the Royal Institute of Navigation and a holder of the Portuguese Grand Cross of Prince Henry the Navigator.

Still more significantly, he was posted in 1927 to the elite flying boat development unit at Felixstowe, and two years later flew in the RAF team which won the Schneider Trophy for seaplanes.

In 1933, while serving as a navigation instructor at the

Central Flying School, he published his first article in the RAF Quarterly on the subject of air power at sea. The theme was to run through his subsequent career as he established himself, not only as an operational commander but as one of the RAF's chief theorists on maritime air power.

Among his later papers was one on Wing Commander J. C. Pore, a flying boat pioneer of the first world war, who was an early advocate of air cover for convoys. Chilton argued in later years that had Pore's ideas been adopted earlier, the Battle of the Atlantic could have been won much earlier than it was.

Chilton was posted to South-East Asia in 1944, went from there to be air officer commanding (AOC) in Ceylon in 1946, AOC Gibraltar in 1952, and assistant chief of the air staff (policy), 1953-54. In the late 1940s, he was also appointed to a joint service committee, established under the chairmanship of General Sir Gerald Templer, to examine the issue of maritime air defence.

He was SASO at Coastal Command headquarters in 1955, and AOC Malta (and deputy C-in-C Allied Forces Mediterranean), 1957-58. Then in 1959, he inherited the title to which he had always aspired, that of C-in-C Coastal Command — with associated NATO responsibilities in the eastern Atlantic, English Channel, and the North Sea. After three more years fighting the Royal Navy, he finally retired in 1962.

Chilton then began a second career as a consultant and director of IBM (Rental), working largely on government contracts. He continued there until he was over 70, while he wrote and took part in defence seminars until last year.

He could be a demanding colleague who set high standards, and looked to others to do the same. Like many men who believed passionately in a cause, he sometimes ended up on the wrong side of an argument — advocating the use of flying boats, for example, long after their limitations had been exposed. He was also, however, a gifted speaker and raconteur.

His off-duty interests reflected his maritime inclinations. He was president of the RAF Rowing Club, vice-president of the RAF Swimming Association, and vice-admiral of the RAF Sailing Association. Sea-fishing was among his passions.

"Chilly's" first wife, Bunny, died in 1963. He married again, in 1964, and is survived by his second wife, Joyce, and by a son from his first marriage.

CELIA GORE-BOOTH

Celia Gore-Booth, actress, died on August 7 aged 46. She was born on January 6, 1946.

THE death of Celia Gore-Booth removes from the theatre an original and innovative talent. She was a leading actress in a number of well-known experimental theatre companies, including Shared Experience and *Theatre de Complicite*. From the beginning of her career, she was involved with new and exciting work going on in theatre. She was passionately dedicated to exploring new forms and courageously inventive in her acting.

Gore-Booth developed a taste for acting in amateur productions in New Delhi, where her father, the late Lord Gore-Booth, was high commissioner from 1960 to 1965. Her father's interest in acting was evident in his playing *Sherlock Holmes* in a cliff-top struggle with Moriarty staged by the *Sherlock Holmes Society*.

Celia Gore-Booth trained at the London Academy of Music and Dramatic Art and then with Jacques Lecoq in Paris, a leading exponent of physical theatre and mime. She joined Jerome Savary's *Le Grand Magic Circus* in 1971, and appeared in its productions of *Robinson Crusoe's Last Days* and *From Moses to Mao*. The *Crusoe* was seen at the Roundhouse, with a memorable performance by Gore-Booth singing rock songs.

She returned to Britain and was a co-founder in 1975 of Shared Experience,



working with its director, Mike Alfred, on a form of minimal theatre in which actors suggested, by sheer strength of acting, the scenery and sound effects. Those who saw her *Arabian Nights Trilogy* at the King's Head — the forerunner of successive productions — will remember it as a landmark in

theatre for its freshness, intelligence and humour, and for Gore-Booth's striking appearance, with her waist-length hair in Arabian Nights veils.

From Shared Experience, she went on to *Lumière* and *in* and appeared in *Circus Lumière*, directed by Hilary Westlake. Her work became ever more bold and inventive over the years. She was extraordinarily funny in the role of God in the *Philippe Gaulier Company's No Son of Mine*. She worked with the Traverse Theatre in Edinburgh and put on a one-woman show, *The Food of Love*, at the Almeida. Some of her best work in the 1980s was with the *Theatre de Complicite*, the leading company of physical theatre. She worked with it on several productions, including *Anything for a Quiet Life*, which was also televised, and *Please Please Please*, in which she showed a talent of which she was proud, of playing the musical saw. The characters that she invented displayed an inimitable comic skin combined with a sense of vulnerability. In *Complicite's* definitive version of Dürrenmatt's *The Visit*, seen at the National Theatre last year, she played the pivotal moral role of the teacher. Her last stage role was as Sir Andrew Aguecheek in a Cambridge Theatre Company production last year of *Twelfth Night*. She appeared in a number of television plays and films, her most recent being in *Jeves & Wooster*.

She married, in 1984, Douglas Gill, a drama therapist, and also leaves a son aged seven.

John Anderson

JOHN Anderson, an American character actor who was a sly-sounding used-car salesman in Alfred Hitchcock's *Psycho* died on August 7 aged 69.

Having earned a masters degree in drama he appeared in several Broadway productions but was best known in

America for his work in television, having appeared in more than 500 small-screen roles, including frequent 1960s appearances in *The Twilight Zone*.

In addition to *Psycho*, he appeared in such films as *Smoky and the Bandit II*, *Ride the High Country* and *Cotton Comes to Harlem*.

COLSTON LEIGH

William Colston Leigh, a one-time failed opera singer and night watchman who became president of the world's leading speakers' agency, has died at his home in Tampa, Florida, aged 90. He was born in New York City on August 7, 1901.

THE famous authors represented by Colston Leigh on the lecture circuits of America, who included Arthur C. Clarke, James Michener and Art Buchwald, would have found it difficult to invent the careers of their agent and make it sound credible. Leigh was a rarity: a man who found his *metier* by sheer chance and pursued it with phenomenal success.

He was the son of William Colston Leigh, an artist of some note who specialised in painting pictures of the American West — though the family lived in Virginia. Young Colston had been a promising athlete in high school, but his ambitions lay elsewhere and he turned down a college baseball scholarship in Georgia to try his fortune in New York as an opera singer. The attempt was short-lived. Soon Leigh found himself working as a scrap sorter in a junk yard for 17 cents an hour, which was followed by jobs as a petrol station attendant, night watchman, telephone inspector, stenographer, and instructor in the art of the tangos. He never made more than \$30 a week. And then, in the mid-1920s, Leigh met one of his father's Indian models, rejoicing in the name of Princess Chiniqua, who did a little public speaking on the side.

Leigh quit his job as a salesman, and very soon the W. Colston Leigh Bureau was doing a roaring trade. By 1945, by dint of aggressive marketing, the flamboyant Leigh was commanding 80 per cent of the lecture business in the United States, and earning more than \$1 million a year in commissions. His clients included Eleanor Roosevelt, Clement Attlee, Edward R. Murrow, Jim Thorpe and, later, Indira Gandhi.

Leigh left the agency, now run by his son, in 1976. For the next ten years he and his second wife ran an antiques business in Princeton, New Jersey, before he finally retired at the age of 85.

RICHARD BLACK

Richard B. Black, Antarctic explorer and retired Rear-Admiral in the US Navy Reserve, died on August 11 aged 90. He was born in Grand Forks, North Dakota.

RICHARD Black had a talent for being on hand at historic moments. One such came in 1937 when, as a civil engineer working for the United States Interior Department, he was put in charge of preparing an air-strip on a remote Pacific island to serve as a staging point for Amelia Earhart on her attempt to fly round the world.

Howland Island, no more than a treeless spit of sand, had been annexed by the US as a possible stopping-place on the air route between Hawaii and Australia.

On July 2, 1937, Ms Earhart and her navigator, Fred Noonan, took off from Lae in British New Guinea for the 2,570-mile non-stop flight to Howland. Black and his men waited, shooting flocks of birds from the runway as he expected time of arrival approached. They waited in vain. With the

primitive navigation equipment of the day, Earhart and Noonan were unable to locate the tiny island, and Black monitored their final radio transmission, reporting that they had 30 minutes of fuel remaining. Neither aircraft nor crew was ever found.

Four years later Black had a second brush with history when he was called to active duty, and found himself stationed at Pearl Harbour during the Japanese attack of December 7, 1941. He subsequently fought in the battles for Tarawa and Saipan, winning the Bronze Star.

Richard Black was trained as a civil engineer at the University of North Dakota. From 1933 to 1935 he joined Rear-Admiral Richard Byrd in his second expedition to the Antarctic, for which he received the Navy's Special Silver Medal, and over the next 30 years served on four other Antarctic explorations.

After the second world war, Black worked as a federal aeronautics official in Hawaii and was a civilian aide in South Korea during the Korean conflict.

August 18 ON THIS DAY 1786

In addressing the prime minister, William Pitt the Younger, the correspondent deplores the system of tithes which paid for the upkeep of the Established Church of Ireland — paid by a mainly Catholic population.

TO THE RIGHT HONOURABLE MR. PIT

SIR,

If we take a retrospect of the various tumults which have been raised by the successive bandits in Ireland, we find that the pretext under which they acted their disorderly proceedings, hath been one, the oppression of the other.

Most, if not all, of those unhappy creatures, are of the Roman Catholic persuasion, and have numerous priests of their own sect to support, the withholding of whose dues (as they call them) would be deemed sacrilegious.

Their Clergy have no legal provision for their support, and consequently depend on the voluntary, or it may be, imposed contribution of the people, and mostly exact their stipend with even as rigorous a hand as they very often practice themselves, for they withhold from them the administration of their religious rites, should they prove remiss in rendering the stipulated rates to the priest, so that those poor people have two orders of priesthood to maintain, one of whom are aliens to their Israel; and at the same time such is their poverty, that so small a tribute as the heath tax (though but two shillings) is a real burden to many of them.

I have beheld with my own eyes, the heath money Collector come out of one of their cottages, and his servant following him, carrying the pot, wheel, and blankets, in which their little furniture chiefly consisted, in order to

PHILO-BRITANNIA

Archaeology

Danish optimism at 'wedding cake' tomb of Mausol

Argos and Co-op take optimistic line

City shrugs off gloom of retail trades survey

By GEORGE SWELL AND JONATHAN PRYNN

THE City shrugged off the gloomy CBI distributive trades survey yesterday. In the absence of further big swings on the foreign exchange markets, trading continued in the optimistic vein of Friday, when good inflation news from Britain and Germany lifted shares.

Buyers, although selective, were encouraged by two bright spots on the high streets. Argos and the Co-op, and the FT-SE 100 index closed 19.3 up at 2,376.1.

The mood will be tested later today when the Bank of England publishes its latest quarterly assessment of the British economy and the government reveals its latest borrowing figures. Economists are increasingly concerned at the rising public borrowing requirement, forecast to be up to £2 billion for July and August.

Pre-tax profits for the 24 weeks to June 13 were £9.5 million, down 11 per cent, on turnover up 3 per cent at £31.8 million. However, the profit figure included more than £2 million of start-up losses from Chesterman Home Furnishers, the up-market furniture chain, which has failed to reach its sales targets for its first two months.

The report adds that this year may see the beginnings of a modest recovery, with consumer spending increasing by about 1 per cent overall, which would be enough to make good the ground lost last year.

Higher real incomes and a slight reduction in savings could then combine to produce more rapid growth of about 2.5% in 1993," it says. But it warns: "Any recovery is likely to be hampered by the fact that the current situation appears much less favourable than that existing at the end of the early 1980s recession."

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The market is looking for anything between a year-on-year fall of 0.6 per cent to a rise of 0.3 per cent reflecting a monthly change of anything between minus 0.5 per cent to plus 0.3 per cent.

Tomorrow the City will be looking closely at the government's official retail sales figures for July, a month which, the CBI said yesterday, saw the steepest year-on-year fall since the distributive trades survey began in 1983.

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Argos, Tempus, page 18



Taking an overview: the panel, now headed by Frances Heaton, is rethinking its policy on stake-builders

Panel casts an eye on 'creeping' takeovers

By JON ASHWORTH

THE takeover panel is considering whether to clamp down on companies that use 'creeping' acquisitions to win control of others without making a full bid.

Merchant banks, accountancy firms and other City bodies involved in the takeover process are being asked for their views amid fears that the system is open to abuse. A company that holds 30 to 50 per cent of another can quite legitimately increase its shareholding by 2 per cent a year.

The panel, under Frances Heaton, its director-general, is concerned that persistent corporate raiders could increase their stake over a period of years, ultimately gaining control.

The so-called 'creeper provision' was introduced into the takeover code in 1974 to allow some flexibility. Normally, companies that take a stake in another to more than 30 per cent are obliged to make an offer.

A panel spokesman said that the area of creeping acquisitions was one of a several open to possible revision but it was too early to say whether any changes would follow. He said the revision had not been prompted by any one case or body of cases. Any changes to the rules are likely to come as part of a general desire to update the panel's rules, should this prove necessary.

The creeper provision has worked well enough in the past 20 years but there is always the possibility that someone might seek to abuse it by patiently increasing their stakes. They could do this by paying a premium for the shares which, in the panel's view, should be shared with other shareholders. At the outside, for a 30 per cent shareholder, the process of winning control could be completed in ten years.

The Forum of Private Businesses has estimated that companies may be owed up to £40 billion in overdue payments.

A survey of 350 companies by the Federation of Small Businesses found that nearly half expected no rise in turnover before the end of 1994.

Comment page 19

Accountancy book thrives on furore

By MARTIN WALLER, DEPUTY CITY EDITOR

TERRY Smith's *success & scandal*, which claims to take the lid off creative accounting techniques, arrived in City bookshops yesterday, a month ahead of schedule and bearing the eye-catching soubriquet *The Book They Tried to Ban*.

Accounting for Growth, which led to Mr Smith's suspension as head of research at UBS Phillips & Drew last week amid suggestions that it had upset several big banking clients of the Swiss-owned securities house, is subtitled *Stripping the Camouflage from Company Accounts*.

Random House, the publisher, rushed ahead publication of 10,000 copies in paperback after the furore over Mr Smith's suspension and to take advantage of the extensive publicity.

One chain of bookshops, Books Etc, rushed a van to the printer in Chatham, Kent, to take 2,000 early copies to its nine London shops. The two in the City, in Fenchurch Street and in the Broadgate Circle, close to UBS Phillips & Drew's London headquarters, were selling the book by lunchtime yesterday.

Richard Joseph, managing director of the chain and an accountant by profession, said interest in the book had been stimulated by press publicity and recent collapses of apparently healthy companies. "I think the public want to know what methods they use. I knew what they went on, but even I'm surprised at the extent of it."

Liz Sich, publicity director for Random House, said the rest of the first run would be arriving in other bookshops by today, and a second print run was being prepared.

"We're absolutely delighted by the response of the book trade. They [UBS Phillips & Drew] have done the job for us in publicising it."

The Swiss securities house issued a writ against Random House and Mr Smith last week alleging infringement of copyright and breach of contract but does not appear to have applied for the interlocutory injunction that could have prevented publication.

The book deals with various techniques used to inflate profits, names the companies using them and contains analyses of three corporate collapses, Colmoll, British & Commonwealth and Poly Peck.

Fimbra suspends members

By OUR MONEY EDITOR

TWO members of the Financial Intermediaries Managers and Brokers Regulatory Association (Fimbra) were suspended yesterday and ordered to cease trading for failing to have professional indemnity cover. This follows a similar suspension and order to cease trading at the extent of it.

Liz Sich

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Southern African neighbours sign integration treaty

FROM MICHAEL HAMLYN IN JOHANNESBURG

A NEW "poor man's club" was formally inaugurated yesterday in Windhoek, the capital of Namibia, as heads of state or representative ministers from ten Southern African countries signed a treaty establishing the Southern African Development Community (SADC).

The African National Congress from South Africa was present as an observer, but South Africa itself, the regional giant, was very definitely not invited.

The new development community springs out of the Southern African Development Coordination Conference (SADCC), which was set up ten years ago to help the front-line states survive the

application of sanctions on the apartheid regime.

The aim of the new body is to promote economic integration among the ten, but some envisage it will eventually progress to political integration. Kgosi Kwe Moesi, an SADCC senior official, said:

"The thinking of the community is not simply confined to the economic community."

The new treaty establishes binding obligations on members and a tribunal will be established to arbitrate disagreements. The tribunal may be the first step towards a regional parliament.

Sam Nujoma, the Namibian president, opening yesterday's summit meeting, declared that the countries of the

region were being called on to put regional interests above national considerations "and if necessary be prepared to make sacrifices and concessions in the overall interest of the region". This, he added, would be "the test of our political maturity".

The grand hopes of the new organisation have been somewhat diminished by the experience of its predecessor body. Critics have suggested that the only permanent achievement of SADCC has been the building of its secretariat in Gaborone, Botswana. True, it has established transportation corridors to Beira, Maputo and Nacala, with integrated development of roads, railways and port facilities, valuable during the drought, but these could well have been established without SADCC machinery, and in any case were largely inspired in South Africa itself.

The SADCC's main contribution has been as an umbrella organisation through which multilateral aid has been channelled from western donors to member states.

Simba Makoni, executive secretary, has himself complained about the unwillingness of members to make decisions on a regional, rather than national, basis.

Samuel Jacques Delors

would not doubt find familiar.

Professor Gavin Maasdorp, director of economic research at Natal university, points out that the individual countries have still a long way to go in economic convergence before any kind of trade integration will become meaningful.

"Some have convergent currencies, some don't," he said. "They have widely varying rates of inflation. Mozambique and Angola have still got to find their feet in the economic world. It [the treaty] is fine words, but I think there is still a long road to travel."

Two former Mountleigh directors, American investors Nelson Peitz and Peter May, had shown interest, but a Galerias spokesman said they appeared to have withdrawn. He added that Michael Babcock, the Galerias chairman, is still interested in the idea of a management buyout.

Mountleigh took over Galerias in 1987 and launched a £100 million revamp plan in November 1990. Mountleigh shares were suspended on the stock exchange at 3p.

Though it is widely expected that a post-apartheid South Africa will wish to join the new SADC, for reasons of political sentiment if for no other, its presence will be regarded with mixed feelings by the present members. Nonetheless, the present South Africa with 16 per cent of the land and 30 per cent of the population of the region, has an economy that is one-and-a-half times as big as all the other ten countries put together. In addition, the South African companies already have representation in most SADC economies and they have been major foreign investors in the region. The ten countries of the SADC are Angola, Botswana, Lesotho, Malawi, Mozambique, Namibia, Swaziland, Tanzania, Zambia and Zimbabwe.

However, M&S, chaired by Sir Richard Greenbury, does not rule out the possibility of buying individual stores if the chain were broken up.

Madrid newspapers reported that M&S was preparing to launch a bid with other investors who have already offered to buy the loss-making retail subsidiary from Mountleigh, the British property group that called in the receivers three months ago.

An M&S spokeswoman said: "We are not interested in bidding. We have made that clear at a number of stages. We are not bidding on our own or in a group. If somebody made a successful bid, it is possible they would want to sell some sites that we might be interested in."

She said attempting to buy individual stores from the receiver did not seem to be an option because M&S might be interested in only part of a site.

M&S has one store in Madrid and another in Seville and is looking to expand in Spain.

Galerias has 29 stores. It lost £18 million in the half year to October 1991, the latest published profit figures, and its future has been hanging in the balance since Mountleigh went into receivership with debts of £500 million.

A spokeswoman for Mountleigh's UK receivers, KPMG Peat Marwick, said bids were

Sir Richard: not bidding



Changing rates: Andrew Longhurst, chief executive of Cheltenham & Gloucester

Cheltenham & Gloucester cuts interest rates for savers

BY LINDSAY COOK, MONEY EDITOR

THE Cheltenham & Gloucester Building Society cut its interest rates for savers yesterday, four weeks after causing the government to cut the rate paid on the National Savings First Option Bond.

C&G, the sixth largest society, cut its saver rates by an average of 0.4 per cent to widen its margins. It had put up mortgage rates on July 18 by 0.24 per cent and introduced a fixed rate account guaranteeing 10.4 per cent gross interest or 7.8 per cent net until October next year.

When National Savings cut the First Option return to 7.25 per cent for new investors from July 21, C&G restored its mortgage rate to 10.75 per

cent from July 25. But it used the opportunity to attract money to its London fixed rate account, which will remain open until the close of business next Monday.

The society is now cutting its accounts, including the London share account. This now pays 9.6 per cent gross (6.9 per cent net) compared with 10.4 per cent a month ago. The C&G relies heavily on this instant access postal account for its retail funding. Because savings can be withdrawn easily, it is very vulnerable to people moving their savings to more attractive rates elsewhere.

National Savings had a second round of cuts on all

accounts apart from index-linked savings certificates at the beginning of this month. Most of the leading mortgage lenders have now cut savings rates.

Andrew Longhurst, C&G chief executive, said: "C&G's rates for investors remain competitive with those available from other secure quality institutions and, with inflation at a low level, offer a worthwhile real return."

□ The Woolwich Building Society also revised the rates of its savings accounts yesterday, reducing some rates by up to 0.4 percentage points, leaving others unchanged and in one case increasing the return by 1 percentage point.

VAT fraud 'could cost £600m' in single market

By ROSS TIEMAN, INDUSTRIAL CORRESPONDENT

THE removal of European border controls could cost the government up to £600 million a year in revenue lost to fraud and smuggling, according to internal studies by Customs and Excise, made public by civil service unions.

Customs officers will have to rely on honest book-keeping by importers, because they will no longer be able to levy value-added tax as goods enter Britain at ports, the unions said. Dishonest importers would be able to pocket the VAT collected from customers.

A customs spokesman said he was unable to confirm the unions' figure. However, Mike King, Customs and Excise secretary of the National Union of Civil and Public Servants, said: "The European single market will create a land of opportunity for tax fraudsters." The removal of border controls would "result in an overnight explosion of VAT fraud and the smuggling of revenue goods. The potential VAT loss is over £600 million."

The claim was made as the unions launched a campaign for the government to reverse manpower cuts and recruit an additional 2,000 VAT staff to Customs and Excise.

The union, working with the Civil and Public Services Association, has calculated that the extra officers, concentrated in local VAT offices, could bring in an additional £1 billion of uncollected revenue.

They said there would also be a one-off benefit of £600 million from the collection of unpaid VAT owed by traders. According to the unions, the additional staff would cost £47 million a year in salary and employment expenses.

Mr King said: "VAT inspectors are highly cost-effective, raising well over ten times their cost in additional revenue. It seems to us madness that at a time of massive fiscal deficit and when the single market is putting millions of pounds of VAT at risk that the government has actually been cutting the number of VAT inspectors."

Customs and Excise acknowledged the "very valuable work" of VAT control officers. However, existing officers were becoming better at targeting risk areas, and would benefit from the introduction of improved computing at VAT offices next year.

Last week, the panel criticised Burson-Marsteller, the public relations firm, and Lazard Brothers, the merchant bank, for their actions in Dowty International's unsuccessful defence against a bid from TI Group earlier this year.

Grant for Lucas

LUCAS Industries has appointed John Grant from Ford to replace David Hankinson, the finance director who resigned abruptly five months ago after the company chose a new managing director. Mr Grant, who joins on September 1, is head of international financing at Ford's financial services group in America.

French inflation falls below 3%

By WOLFGANG MUNCHAU, EUROPEAN BUSINESS CORRESPONDENT

THE French rate of inflation fell below 3 per cent in July for the first time this year, confirming France's position as one of the European Community's leading nations in the fight against inflation.

But the strictures of the exchange-rate mechanism and the impact of high German interest rates mean a fall in French inflation amounts to a rise in real interest rates, one of the main reasons behind the disappointing performance of the French economy over the last year.

The French consumer price index, as compiled by INSEE, the national statistics office, rose by a provisional 0.3 per cent in July, resulting in a 2.9 per cent rise on an annual basis, down from 3 per cent in

July. This compares with an annual inflation rate of 3.3 per cent in Germany and 3.7 per cent in Britain.

The good economic news, however, will do little to help France out of recession, which is in part the result of high real interest rates. French politicians, including Michel Sapin, the finance minister, have frequently voiced criticism about high German rates, but their pleas have had little effect.

The squeeze on European interest rates may even worsen. Lothar Müller, the Bundesbank's representative for Bavaria and the most outspoken hardliner on its central council, said in a radio interview over the weekend that a rise in the emergency

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TEMPUS

Shake-up helps Argos counter slump



Pointing to turnround: Roger Smith of Trimoco

ARGOS timed its withdrawal from the "shed wars" well, allowing it to benefit from a shift in its product mix away from low-margin DIY sales towards richer pickings such as toys, photographic equipment and jewellery. The result was a half-point rise in the gross margin on like-for-like sales in the first half that were marginally lower than the same period last year.

Argos was last into the recession for a retailer — last year's profits fall was the first for five years — so the 1992 figures give the first indication of the management's response to the downturn. So far, it seems to have coped better than the market had expected.

Cost-cutting and a reorganisation of the distribution system restricted the fall in the underlying trading profits to 8 per cent, while slightly higher interest income on the rapidly growing cash pile cushioned the fall at the pre-tax level. Half-year taxable profits were £9.5 million, down 11 per cent, while the interim dividend was increased 5 per cent to 2.2p.

There was also some encouragement from the first

six weeks of trading in the second half of the year, when sales were slightly up on one of last year's stronger trading periods. The main question remains: Chesterman, Argos's attempt to bring the out-of-town shed concept to those who normally prefer reproduction furniture. The four pilot stores "materially" undershot their sales targets and lost £2 million in the first half. The company is beefing up its advertising spend for the stores but a further loss of at least another £2 million seems likely in the second half. However, the group investment in the project is relatively small. Even if the concept fails, profits should not be too seriously affected.

Shares in the company have underperformed alarmingly over the past year, hence the 7 per cent bounce on yesterday's figures. Market expectations of about £65 million of pre-tax profits for the full year would mark a slight improvement on last year and a creditable performance in still tough trading conditions. The forward multiple of just above 15 times' earnings means the shares are not cheap but look fair

value in a sector that has recovery already fully reflected in the rating.

Trimoco

TRIMOCO was spun out more than a decade ago from Texaco, the oil company, bringing with it a shareholder list that runs to 15,000. Many of those shareholders have been puzzled by the emergence of a so-called "mandatory" offer from Hartwell, a fellow motor dealer now in Saudi Arabia.

The mandatory part of the bid, however, refers to the bidder, not shareholders, who should be aware they are under no obligation to accept. Indeed, with the shares sitting at 20p against a cash offer of 17½p, conventional wisdom in the market suggests they should sit tight.

Hartwell was forced to bid under City takeover rules when it took the opportunity of converting some loan stock into ordinary shares. The company held 92 per cent of this stock and would have had to wait until next year before converting again. Having made this decision, Hartwell saw its holding in

Trimoco rise from 29.8 per cent to 39.4 per cent. The bid was pitched at the lowest level permissible under City rules: the cash price in the market when conversion took place.

Past history of the Hartwell business and its 1990 takeover by the Saudi Jamed Group, one of the richest businesses in the kingdom, suggests that Hartwell may be in no hurry to clinch victory. The Hartwell takeover was done in two stages, after an initial hostile offer left the Saudis with 43 per cent.

If the bid fails, they cannot offer lower terms for at least a year. In its defence document, due this week, Trimoco, chaired by Roger Smith, will make great play

of the recovery already engineered, a recovery of which Hartwell, with two nominees on the board up to the bid, is well aware. Peter Caldwell at Barclays de Zoete Wedd is forecasting £2 million pre-tax this year against losses of £578,000 to end-March.

Trimoco is an illiquid market, and holders stand little chance of cashing out at the current level. Hold on.

WALL STREET

Bush hopes lift Dow

New York — The Dow Jones industrial average edged up in early trading on the strength of technical buying after being oversold. The feeling that the Republicans will gain ground during this week's convention could prompt a mild rally.

□ Tokyo — Shares ended higher, up 109.30 at 14,929.55, with the Nikkei failing to hold the 15,000 level reached in the morning.

RECENT ISSUES

Anglian Group Sp (210)	200	...
Birley (100)	92	last
Broadgate Inv Trust (100)	101	...
Dartmoor Inv Trs Warrants 7
Dwyer A	19	...
Euro Smurfs Cols (100)	470	...
Finsbury Smurfs Cols 05 Pt	1461	+12
HSBC 5p	327	-77
Klwort Endowment (100)	100	...
MF Furniture (115)	119	+11
Quality Care Hmgs (130)	151	...

RIGHTS ISSUES

Beckenham Sp n/p (9)	...
Birley n/p (100)	...
Cavendish Sp n/p (16)	...
Channel 5p n/p (130)	...

STOCK MARKET

Futures lead shares higher in thin trading

SHARES continued their recovery, with prices marked up in thin trading during another futures-led session, which saw volumes reach their lowest levels since July 9.

Shares drifted higher in early trade but the extremely quiet holiday trading pattern returned to haunt the London market. There was no real follow-through to the strong rally at the end of last week, so it was again left to the futures to provide any direction.

The absence of profit-taking and a few buyers nibbling at some of the stocks perceived as undervalued, saw share prices marked higher as market-makers continue to keep tight books.

An overnight recovery in Tokyo and a positive start on Wall Street also helped to boost sentiment further in London. The FT-SE 100 index closed at its best levels of the day, up 19.3 to 2,376.1. The narrower FT Index of 30 shares rose 12.4 to 1,766.2. Volume reached only a miserable 315.3 million shares.

Early concern about the latest CBI retail trade survey, which indicated the biggest monthly fall in sales since the survey started in 1983, was offset by cheering trading figures from Argos, Britain's biggest catalogue-based shop-

ping chain. It pleased the market by managing to buck the downward trend in high street sales and produced better than expected half-year results. Analysts were generally pleased to hear that sales, which had been marginally down when the company went into the close season, were marginally ahead and margins had also improved. The shares responded with a 15p jump to 219p.

Elsewhere in the sector, the Argos trading statement provided a boost for Kingfisher. Up 4p to 453p, although Marks and Spencer eased 1p to 302p on the back of the gloomy CBI retail survey. M&S also said that it has no intention of bidding for Galerias Preciados, the Spanish group, despite persistent rumours in Spain that it would join a consortium making an offer. Elsewhere, Boots firm 3p to 442p, GUS A 17p to 14.10. Next up to 87p, WH Smith 5p to 41p and Raters, where results and refinancing news are awaited, firm 4p to 121p. Liberty, however, lost 25p to 48p.

The food manufacturers suffered another wave of downgradings. This time Hoare Govett has decided to trim its pre-tax profit forecast for United Biscuits by £10 million to £185 million for the current year, compared with £211.3 million last year. United Biscuits has suffered several downgrades recently on the belief that trading conditions

increased competition. William de Winton, at Hoare, blames the latest downgrade on tough trading conditions in the United Kingdom, rather than the United States. "The

recent directory of engineering shares from Albert E Sharp, the stockbroker, has generated interest in shares in which Sharp takes an optimistic view. Those seen as good quality include IMI, up 9p to 237p, TI Group, 2p firmer at 269p, Weir Group, up 7p at 489p, and Powell Duffry, 6p higher at 329p.

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UK grocery trade does worry me," he said. He is also concerned that margins have been suffering, with no immediate signs of improvement.

Hillsdown Holdings, cur-

rently in its close season, lost 2p to 118p after BZW became the latest house to trim its profit numbers. James Capel cut its forecast by £20 million at the end of last week. BZW is reducing its forecast for the current year from £210 million to £197 million, compared with £186.8 million last year.

In the paint sector, Manders slid 3p to 198p on mounting feelings that the hostile bid from Kalon would not succeed. Kalon was unchanged at 82p.

Trafalgar House, which has again been the subject of talk concerning a possible demerger, saw its A shares harden 2p to 55p. Some brokers are talking of a break-up valuation of 85p a share, with the shipping and hotel sides put at 30p a share, although many in the market are sceptical of the idea that the company may float off its leisure and hotel interests.

Many building and construction related stocks rallied, recovering some of their losses. RMC Group, which Hoare Govett thinks is undervalued, gained 24p to 484p, while Redland climbed 15p to 424p.

Among Lloyd's brokers, Seagwick, the insurance broker, was on offer, falling to 138p, before recovering to close 3p lower at 144p, as some traders began to fret about a possible dividend cut with today's interims, but Willis Corroon, which is due to report interim results on Thursday, perked up 6p to 191p.

Cable and Wireless initially moved up 4p on talk of a long-term separate listing for Mercury, but the shares ended

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BHP Industries added 5p to 152p, Blue Circle 4p to 187p, Heworth 7p to 308p, Pilkington 3p to 90p, and Rugby Group 12p to 193p. Bellway rose 5p to 216p, Berkeley Group up to 210p, Persimmon 12p to 202p, Wilson Bowden 8p to 257p and George Wimpey 1p to 112p.

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Panel rethink on creeping control

Beating off a close-run takeover bid, only to find that the predator can buy control later through the stock market, is galling to the management of a target company. This is a common threat when an ill-tempered campaign ends with the bidding company sitting on 40 per cent or more of its target's shares, as recently in Greene King's offer for Morland. The City takeover panel thinks the rules need looking at again, since control can pass without a general offer and leave all the other shareholders as a powerless minority. This strikes at one of the main purposes of the takeover code. Another, though now often forgotten, was to prevent a company's management being under endless siege, damaging its day-to-day operations, by setting a three month timetable for a bid, after which an unsuccessful bidder had to wait a year before trying again.

The normal dealing rights of big shareholders have already been restricted so that they can only buy up to 2 per cent of a company's shares per year without making a bid. This itself is something of an imposition on the failed bidder, who is often left with a costly rump shareholding. In practice, the threat rarely results in creeping control because shareholders who resisted a bid have already committed themselves to management. Even in the Leucadia-Molins case, where the bidder aimed to buy control from a base stake of nearly 47 per cent, it eventually threw in the towel. The creeping takeover option is, however, an additional lever to persuade the target company to accept a new offer once the moratorium is over.

The existing rules are an illogical compromise. It would make more sense to stop control passing altogether without the consent of shareholders or a general offer. Such a rule should therefore apply to any holding of, say, 40 per cent or more. That is justified even though it would extend the powers of the panel beyond the conduct of bids and further limit the rights of big shareholders. To relieve the endless siege, the panel would have to take the more dramatic and unlikely step of obliging an unsuccessful bidder to sell stock bought during a bid to bring its holding down below the level of threat.

Overdue debt

Efforts by the CBI to persuade its (mainly large) members to recognise the dangers posed to their (mainly small) suppliers by late payment of bills appear to have fallen on deaf ears. Nearly 400 companies from AEA Technology to Zan Ltd declared their support for the CBI's prompt payment code last May and doubtless others have signed up since. Yet, according to the latest survey from Trade Indemnity, bills are still being paid an average of 26 days beyond their due date.

Despite its policy of benign inactivity in economic policy largely induced by the ERM straitjacket, there are useful measures, lots of them, that the government can consider. Having yesterday highlighted a German example that facilitates borrowings at below-commercial bank rates for small companies, we commend to ministers summing themselves on the beaches some consideration of tougher action to spur on slow payers.

The budget proposals required larger companies to report annually on how quickly they settled bills. The government will also expect undertakings of prompt payment to sub contractors to those winning official business. Fine, but this is not working sufficiently quickly. A receiver acts more quickly. The CBI's proposals to cut court judgments to little more than a month should be swiftly introduced.

Wolfgang Münchau claims Britain would benefit from the loan-guarantee role of an agency such as Frankfurt's KfW

Britain has a unique difficulty with the European exchange-rate mechanism in that official interest rates may have come down to within a whisker of Germany's, yet the interest rates that people actually pay are still considerably higher. This is especially true of small and medium-sized companies, which face a far more hostile interest rate environment than their German counterparts.

This phenomenon is only partly related to the inefficiency of the British banking sector. The underlying problem is that the British government's enthusiasm for the ERM has been limited to the formal aspects of the system, while the government refuses to countenance policies which would make life more tolerable in such a hostile environment. Such policies are commonplace, however, elsewhere in Europe.

Among the most effective policies are those that deal directly with the burden of interest rates. Indeed, if there is one German institution worth copying it is not the otherwise laudable Bundesbank, at least not if the aim is to make life more tolerable in the short run; instead, I would recommend another Frankfurt-based institution, the *Kreditanstalt für Wiederaufbau*, or KfW for short.

KfW is already well known in international capital markets, where it is a frequent issuer of bonds considered to be among the best risks around thanks to the institution's triple-A credit rating.

Established in the late 1940s with funds from the Marshall Plan, its job is essentially to pass on the low interest rates at which it can borrow in international markets to the country's small and medium-sized company sector. It has also played a vital role in developing a small company sector in eastern Germany.

Suspicious readers may detect here a violation of free-market principles and undue interference by an all too visible hand. This is indeed so. But this observation needs to be put into perspective: the German government is involved only as a guarantor and owner of the majority stake. Apart from an initial, modest cash injection at the time of its creation, the government has never had to contribute a piffling, and thanks to the country's generous rules of public financing, KfW does not even appear in the budget, although it does enjoy some tax privileges.

An institution like KfW is especially important in times of high interest



Helping hand: KfW has made the climb to success easier for small companies in Germany

rates. It cannot offer interest at levels below short-term market rates, but it can ensure that a considerable part of the economy is relieved from paying an undue interest rate margin on top of an already high rate. Small companies in Britain know only too well that the margins and the charges are frequently more painful than the actual level of the base rate.

The financing "trick" used by KfW is similar to that used by international financial institutions, such as the World Bank or the European Bank for Reconstruction and Development, which use their good credit rating to make capital available to companies that would otherwise not stand a chance of attracting loans.

KfW can thus be considered a development bank for the small to medium-sized company sector by allowing them access to loan capital on terms similar to those that large companies can command on international capital markets. Over the years, KfW has become an important pillar of the German economy, whose

success was to a great extent due to the health of the medium-sized company sector. The bank has assets of about £50 billion, and a substantial number of companies have benefited.

The crucial point about KfW is not that it allows access to capital where capital would otherwise not be available, but that it levels the interest rate gap between small and large companies, thereby removing one of the greatest and most systematic disadvantages for small companies.

The numerous British attempts achieve something similar, such as the Bolton and Wilson committee reports of the 1970s which eventually led to the Loan Guarantee Scheme, focused on the availability of capital and not on the terms. The classic argument against such government-aided schemes is that the real shortage is not finance but the number of business proposals of

sufficient quality, so that such schemes are frequently nothing other than a subsidy of uncompetitive businesses. While this is possible in theory, KfW would have gone bankrupt long ago if this were true to any significant extent.

KfW insist that the interest rate is no higher than 1 percentage point above market long-term rates, typically between 8.5 per cent and 9.5 per cent for most schemes at the moment. The loans are for up to ten years, and repayment does not start until the third year. The various schemes on offer have in common that long-termism is not merely encouraged, it is without alternative.

The system works through the commercial banking sector. The bank lends to the client and KfW's role is to refinance the loan. For the banks this means a guaranteed, though limited, profit. KfW avoids direct competition with banks, while for customers the set-up is fast and unobtrusive.

The contrast with Britain could not

be greater. The main success on Britain's otherwise grim record is 3i, which was set up in 1945 by the Bank of England and the English and Scottish clearing banks as the Industrial Finance Corporation. In 1983, IFC changed its name to Investors in Industry, now better known as 3i. It invests long-term, in a mixture of equity and debt, and while it is a worthwhile institution in its own right, 3i does not have, or claim to have, such a wide-ranging remit as KfW.

3i is also considerably smaller: in its last financial year, its total commitments amounted to £424 million. During the first nine months of last year, KfW's commitments were DM33 billion, or £11.7 billion, including DM14 billion of investment loans for small and medium-sized companies. Since KfW's role is to finance a maximum of two thirds of any given investment, and frequently less, the total amount mobilised by its loans is invariably much higher.

One could level a number of arguments against such an institution: it might, for instance, be argued that the institution amounts to a disguised form of industrial policy. KfW's official policy is not to show any sectoral or regional preferences, but, if taken to the extreme, total neutrality is impossible if only because small and medium-sized companies are likely to be concentrated more in some sectors, such as retailing, than in others, such as the production of nuclear warheads.

The principal argument against such an institution in Britain, however, would be that under the country's archaic financing rules, a government-backed initiative such as this would constitute a constant drain on the public-sector borrowing requirement. Whether this is true or not would require some detailed investigation. The Germans, however, manage to keep certain "nasties", such as the federal railway system, off the national balance sheet. Thanks to the European habit of harmonising on the lowest common denominator, this practice may well catch on.

In Britain, the plight of small companies was highlighted extensively last year, when banks came under sharp criticism for behaving unreasonably towards their small-business customers. The general discontent will not disappear either, as bankruptcies among small companies tend to rise long after an economy moves out of recession.

Since base rates will remain an inflexible instrument as long as Britain is committed to the ERM, institutions such as the KfW may become fashionable after a decade of ideological non-interventionist purism.

And who knows, Norman Lamont may even justify such interventionism on the grounds that it is "a price well worth paying".

THE TIMES CITY DIARY

Glaxo takes no chances

GLAXO, one of only four companies to score a zero rating in the controversial points-for-imaginative-accounting table compiled by Terry Smith, the suspended UBS Phillips & Drew analyst, was taking quiet satisfaction from its rating yesterday. According to Miles Broadbent, chief executive of Norman Broadbent, the head-hunting firm, who was retained earlier this year to find a new finance director for Glaxo, it is not a state of affairs that has come about by chance. With the new finance man now in place — John Combe, 47, Glaxo's financial controller, took up the post a month ago — Broadbent now reveals that Sir Paul Girolami, Glaxo's chairman, issued him with a brief before he began his search. It read: "His task is first of all to ensure that he carries out meticulously his legal duties to the board and to the corporation, by ensuring that objective financial, statutory and management information is provided to the board, and that the accounts and accounting principles adhered to are of the highest standards and integrity. The finance director has a public duty to ensure that the accounts of Glaxo will, at all times, stand up to the closest scrutiny."

On your Marks

SO RELIEVED was Peter Marks, managing director of Branton & Gothard, the stockbroker, when charges against him of creating a false market in Maxwell Communication shares were thrown



In the days when telexes were important, we wanted something everyone would remember. It's difficult to forget Branton Pickles."

Uphill challenge

IN SPARE moments at work, Colin Harris, an assistant director at Morgan Grenfell, has been seen heading for the stairs in the firm's Bishopsgate building, and timing himself as he runs up and down the eight flights between the basement and the top floor. Harris, 37, is in training for an assault on the 2,400 steps in two flights of stairs in Canary Wharf tower on Saturday. "We will be running up one flight, around the top floor and down another flight," says Harris. "There are about 1,200 steps in each stairwell."

In the early morning, he says, "it lasted 18 months from the time I was first told I was going to be charged and it was absolutely horrendous. It's bureaucracy gone mad. This industry has been under-regulated for many years and now it is over-regulated. Everyone has to keep looking over their shoulder." Cigar-chomping Marks, known, inevitably, as "Harpo", has dispatched invitations bearing a cartoon of himself, bald and bespectacled, wearing a pair of flippers and standing alongside a harpooned and strung-up whale with the face of Robert Maxwell. "It's not meant to mean anything in particular, it's just a bit of fun," Marks says.

ALSO typical of Branton & Gothard's sense of humour is the answerback attached to its telex number. Pickles G. "It was my idea," admits Peter Marks, managing director.

CAROL LEONARD

Taurus may prove too complex for private investors

From Mr Geoffrey Maddrell

Sir, We in ProShare were

particularly interested in the statement of Gill Ackers, Chief Press Officer of the London Stock Exchange, (August 13) that "private investors have been of paramount importance throughout the development of the Taurus project". We only wish that this had been the case. Certainly the London Stock Exchange and the government have tried to take account of private investors but the outcome is not particularly favourable to them.

Whilst recognising that stamp duty will disappear and

Taurus will eventually lower

costs and simplify the whole

process of operating on the

stock market, let us examine

the plights of private investors

under Taurus. They would

receive an annual statement

for every share they own,

whether a transaction has

taken place or not and each

of these statements will be in

a different format, as they will

come from different company

account controllers. They will

have to communicate changes

of address to each of the

relevant company account

controllers and they must

memorise separate security

codes for each account in

order to initiate transactions.

At this point many private in-

vestors may well decide to

withdraw from the market.

So, there is a real danger of a

further decline in individual

investment in company equity.

ProShare has been promot-

ing the idea of one bureau for

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Portfolio

PLATINUM

From your Portfolio Platinum card check your eight share price movements on this page today. Add them up to give you the daily dividend. If the total is less than the daily dividend, then you have lost out outright or a share of the daily price money. If you win, follow the claim procedure on the back of this card. You will need card available when claiming. Game rules appear on the back of your card.

No	Company	Group	Code or Isin
1	Lee Arthur	Industrial	
2	MFC	Property	
3	Stans Chart	Banks/Dis	
4	Glynn	Industrial	
5	Berkeley Gp	Building/Rds	
6	Abbey Nd	Banks/Dis	
7	Boat (Henry)	Building/Rds	
8	Whitsons	Industrial	
9	Fleets	Industrial	
10	CRH	Building/Rds	
11	Allied-Lyons	Breweries	
12	Warner Howd	Industrial	
13	Welsh Water	Water	
14	BAE	Transport	
15	Smith WH'A	Drapery/Sts	
16	Pearson	Newspaper/Pub	
17	Read Int	Newspaper/Pub	
18	Wate	Paper/Print	
19	Land Sec	Property	
20	Smiths Ind	Industrial	
21	Theoscoor Text	Newspaper/Pub	
22	Coutraud Text	Textiles	
23	Les Services	Motors/Air	
24	Wen	Industrial	
25	Morgan Cnfc	Industrial	
26	Nat Aust Bk	Banks/Dis	
27	Bulmer (H P)	Breweries	
28	Park Foods	Food	
29	Nutri Foods	Food	
30	Wilco Bowin	Building/Rds	
31	BT New	Electrical	
32	SB Bk Sct	Banks/Dis	
33	Honda Motor	Motors/Air	
34	BOC	Industrial	
35	Aspring	Industrial	
36	Gr Portland	Property	
37	Shaper & Fisher	Building/Rds	
38	Fosters Brewing	Breweries	
39	BTW	Industrial	
40	Pilkington	Industrial	
41	TV-um	Leisure	
42	Takla's Chem	Industrial	
43	Blockley	Building/Rds	
44	Wolsey	Industrial	

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Please take into account any minus signs

Weekly Dividend

Please make a note of your daily totals for the weekly dividend of £8,000 in Saturday's newspaper

MON TUE WED THU FRI SAT (Weekly Total)

There were no valid claims for the Portfolio Platinum prize yesterday. The £8,000 will be added to today's competition.

High	Low	Company	Price	g	Net	div	%	P/E
117	104	Abbey Nd	267	7	8	103	52	11.3
125	114	Abingdon Bk	267	7	8	103	52	11.3
127	118	Ad New 2	125	7	6	107	50	10.7
121	112	Ad New 3	125	7	6	107	50	10.7
141	131	Ad New 4	125	7	6	107	50	10.7
140	131	Ad New 5	125	7	6	107	50	10.7
141	131	Ad New 6	125	7	6	107	50	10.7
140	131	Ad New 7	125	7	6	107	50	10.7
141	131	Ad New 8	125	7	6	107	50	10.7
140	131	Ad New 9	125	7	6	107	50	10.7
141	131	Ad New 10	125	7	6	107	50	10.7
140	131	Ad New 11	125	7	6	107	50	10.7
141	131	Ad New 12	125	7	6	107	50	10.7
140	131	Ad New 13	125	7	6	107	50	10.7
141	131	Ad New 14	125	7	6	107	50	10.7
140	131	Ad New 15	125	7	6	107	50	10.7
141	131	Ad New 16	125	7	6	107	50	10.7
140	131	Ad New 17	125	7	6	107	50	10.7
141	131	Ad New 18	125	7	6	107	50	10.7
140	131	Ad New 19	125	7	6	107	50	10.7
141	131	Ad New 20	125	7	6	107	50	10.7
140	131	Ad New 21	125	7	6	107	50	10.7
141	131	Ad New 22	125	7	6	107	50	10.7
140	131	Ad New 23	125	7	6	107	50	10.7
141	131	Ad New 24	125	7	6	107	50	10.7
140	131	Ad New 25	125	7	6	107	50	10.7
141	131	Ad New 26	125	7	6	107	50	10.7
140	131	Ad New 27	125	7	6	107	50	10.7
141	131	Ad New 28	125	7	6	107	50	10.7
140	131	Ad New 29	125	7	6	107	50	10.7
141	131	Ad New 30	125	7	6	107	50	10.7
140	131	Ad New 31	125	7	6	107	50	10.7
141	131	Ad New 32	125	7	6	107	50	10.7
140	131	Ad New 33	125	7	6	107	50	10.7
141	131	Ad New 34	125	7	6	107	50	10.7
140	131	Ad New 35	125	7	6	107	50	10.7
141	131	Ad New 36	125	7	6	107	50	10.7
140	131	Ad New 37	125	7	6	107	50	10.7
141	131	Ad New 38	125	7	6	107	50	10.7
140	131	Ad New 39	125	7	6	107	50	10.7
141	131	Ad New 40	125	7	6	107	50	10.7
140	131	Ad New 41	125	7	6	107	50	10.7
141	131	Ad New 42	125	7	6	107	50	10.7
140	131	Ad New 43	125	7	6	107	50	10.7
141	131	Ad New 44	125	7	6	107	50	10.7
140	131	Ad New 45	125	7	6	107	50	10.7
141	131	Ad New 46	125	7	6	107	50	10.7
140	131	Ad New 47	125	7	6	107	50	10.7
141	131	Ad New 48	125	7	6	107	50	10.7
140	131	Ad New 49	125	7	6	107	50	10.7
141	131	Ad New 50	125	7	6	107	50	10.7
140	131	Ad New 51	125	7	6	107	50	10.7
141	131	Ad New 52	125	7	6	107	50	10.7
140	131	Ad New 53	125	7	6	107	50	10.7
141	131	Ad New 54	125	7	6	107	50	10.7
140	131	Ad New 55	125	7	6	107	50	10.7
141	131	Ad New 56	125	7	6	107	50	10.7
140	131	Ad New 57	125	7	6	107	50	10.7
141	131	Ad New 58	125	7	6	107	50	10.7
140	131	Ad New 59	125	7	6	107	50	10.7
141	131	Ad New 60	125	7	6	107	50	10.7
140	131	Ad New 61	125	7	6	107	50	10.7
141	131	Ad New 62	125	7	6	107	50	10.7
140	131	Ad New 63	125	7	6	107	50	10.7
141	131	Ad New 64	125	7	6	107	50	10.7
140	131	Ad New 65	125	7	6	107	50	10.7
141	131	Ad New 66	125	7	6	107	50	10.7
140	131	Ad New 67	125	7	6	107	50	10.7
141	131	Ad New 68	125	7	6	107	50	10.7
140	131	Ad New 69	125	7	6	107	50	10.7
141	131	Ad New 70	125	7	6	107	50	10.7
140	131	Ad New 71	125	7	6	107	5	

LAW TIMES

Why juries need guidance

Lay people
need more help
to sort fact
from fiction,
writes Sheriff
Marcus Stone

The Royal Commission on Criminal Justice, set up in the wake of a number of miscarriages of justice, is now about midway through its deliberations on the criminal justice system. The commission is expected to report in about a year's time. Judged by its terms of reference, however, there is a serious danger that its programme may be aiming its arrow at the periphery.

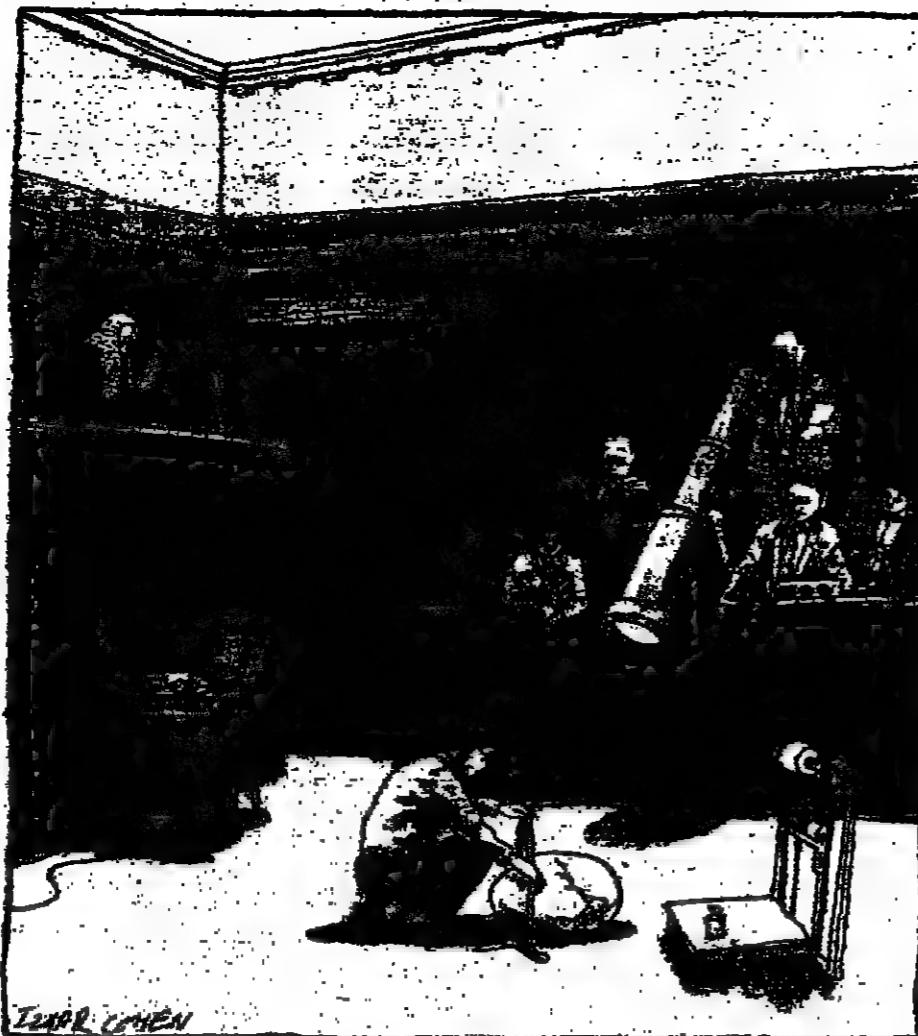
The terms appear to focus on the procedure of the law and not on how facts are decided. The distinction between law and fact is central in criminal justice. The law is designed as a consistent system of general rules for application to facts as stated in print. When necessary, its meaning is clarified by deductive reasoning.

Facts in criminal trials, however, are disputed, uncertain, obscure, troublesome and messy, and not discoverable by law. Facts are decided by evaluating evidence. This is left to the raw common sense of lay persons.

In England, lay magistrates who can consult clerks on law, decide about 95 per cent of all criminal trials. Lay juries, directed by judges on law, decide all serious crimes. The non-legal thinking underlying these decisions is not disclosed.

Essentially, the law is a framework for the central process of lay fact-finding. Criminal law defines the facts that constitute crimes or defences. The image of a criminal trial tends to be that of a process of legal reasoning, but the dispute is nearly always about fact.

Over-emphasis on law has, in practical effects, it leaves the process and validity of lay decision on facts in total obscurity. As long as verdicts comply with the rules of evidence and procedure, and criminal law, they are beyond cri-



LAW COURTS

ticism. Yet a decision may be legally impeccable, although its factual basis is wrong. If so, an appeal will reveal this. Legal tests are not enough.

Exceptionally, new facts emerge that expose the facts underlying legally sound verdicts as false or unacceptable. If any changes in rules or procedures are contemplated, to prevent a recurrence of the faulty fact-finding itself should not be ignored.

The rules of evidence and procedure are indispensable and often require improvement, but they should not be confused with judgment.

The problem emerges with the terms of reference of the commission, covering events before, during and after criminal trials. The main section relating to the trial foresees inquisitorial procedures.

It deals with "... the powers of

the courts in directing proceedings, the possibility of their having an investigative role both before and during the trial, and the role of pre-trial reviews; the court's duty in considering evidence..."

These terms of reference will

allow the commission to question of procedure, mainly concerned with who does what, and when. Somebody at some stage, however, must decide the facts for conviction or acquittal.

The problem will not go away. No amount of pre-trial filtering or laundering of evidence by police, prosecutors or

judges can eliminate the need to detect false or mistaken testimony in court. Appeal or review machinery to correct wrong verdicts is essential, but far better if they are right in the first place.

What could be done about fact-finding? Within the framework of the present court system, the answer must be training, guidance and review. Training refers to the education of judges, magistrates and lawyers in evaluating evidence. Guidance applies in the courtroom. Review of challenged factual decisions after trials is outside the scope of this article.

Judgment in evaluating evidence cannot be governed by rules or give way to psychology or any other discipline. However, sound analysis can help by removing misconceptions and developing insight. Re-

Criminal courts should promote new ideas on evaluating evidence

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Kooyonga's class to carry her to International peak

KOONYONGA can continue what has become one of the most successful seasons of recent years for Irish racing by taking the Juddmonte International Stakes at York today.

Her trainer, Michael Kaunze, regards this as her toughest assignment yet as she takes on Derby winner Dr Devious as well as the likes of Rodrigo De Triano and Alnasr Alwasheek. However, I feel she has the class to succeed.

Kooyonga, the top-rated three-year-old filly over a mile last season, has proved this year that she steps up to ten furlongs holds no fears for her, notably when winning the Eclipse Stakes in July.

It was a performance that carried the heady scent of class, and on that display she readily holds Zoman and last year's winner Terimon. Similarly, she holds Gussy Marlowe on Prince of Wales's Stakes form at Royal Ascot.

Wherever Ruby Tiger finishes, All At Sea should not be far away judged on their run in the Nassau Stakes at Goodwood. There was only a neck in Ruby Tiger's favour that day and, while today's good ground may be more to All At Sea's liking, they still have something to find with my selection.

Jacques le Marais at Deauville on Sunday because of the heavy ground. Rodrigo De Triano was favourite for the Derby but never got into the race and his ability to stay this extended ten furlongs must be taken on trust.

Alnasr Alwasheek showed his liking for this course and distance when making every yard of the running to win the Dame Stakes in May. He quickened the pace well over two furlongs out and kept on strongly to beat Great Palm by three lengths.

However, he is held by Dr Devious on their form in the Craven Stakes where Alnasr Alwasheek won by a length

and a half, but in receipt of 5lb, and in the Derby where he finished seventh.

For the nap, at more rewarding odds, I turn to Bertie Wooster in the Eagle Lane Handicap. The nine-year-old looked to be a spent force earlier this term but came back in winning form, after almost two years, at Ascot last month, only to put up a somewhat lacklustre performance in the Stewards' Cup the following week.

Realistically, he had little chance that day from stall 30 in a race dominated by low-drawn runners. However, the draw can work in his favour this time. So far this season a high draw has appeared an advantage in sprint handicaps here and, the larger the field, the more marked the advantage.

With a draw of 21 in a 23-runner field, Bertie Wooster, who is still on a similar mark to when winning at York two seasons ago, can take the honours.

Steve Cauthen returns from his suspension today and can celebrate by winning the Great Voltigeur Stakes on Saxon, who was doing his best work at the finish when fourth to Beyon in the Edward VII Stakes at Royal Ascot.

Chapple-Hyam is also represented by his dual 2,000 Guineas winner Rodrigo De Triano, who was withdrawn from the group one Prix

Kaunze trains Kooyonga

3.10 JUDDMONTES INTERNATIONAL STAKES

(Group I: £164,852; 1m 2f 85yd) (12 runners)

301 (8) 00-3408 TERIMON 24 (D.F.G.) (Dowager Lady Bawbarrow) C Britain 4-8-5 M Roberts 91
(h Bushro - Nicholas Grey) (Beaver brown, maple leaf green cross-belts and cap)

302 (9) 41-2216 ZOMAN 45 (D.F.G.S.) (F Salman) C Cole 5-9-6 A Munro 92
(ch Affirmed - A Little Affection) (Dark green)

303 (7) 0-00016 GUSSY MARLOWE 17 (D.C.F.G.) (Mrs J Van Geest) C Britain 4-8-3 W Carson 91
(h First Straw - Lady Lorelei) (Red, white triple diamonds, light blue sleeves, white cap, pink star)

304 (11) 20-5311 KOONYONGA 16 (D.F.G.S.) (M Haga) M Kaunze 4-8-3 W O'Connor 92
(h 1st Persian Star - Red, white triple diamonds, light blue sleeves, white cap, pink star)

305 (10) 111-321 RUBY TIGER 17 (D.F.G.S.) (Mrs P Blaize) P Cole 5-8-3 T Quinn 94
(h an Ahoinan - Hayat) (Dark green, white hoop and sleeves, check cap)

306 (1) 13-1010 ALNASR ALWASHEEK 76 (D.C.F.G.) (Stash Ahmed Al Maktoum) M Stoute 3-8-12 S Cauthen 92
(b C Sadler's Wells - Someone Special) (Yellow, black spangles)

307 (4) 405120 BOBIZAO 35 (D.F.S.) (T Mills Ltd) W Carter 3-8-12 J Carroll 84
(b C Alzao - Imreli Maron, gold sleeves, light blue cap)

308 (8) 121-212 DR DEVIOUS 51 (B.F.G.S.) (S Craig) P Chapple-Hyam 3-8-12 J Reid 97
(h C Ahonra - Rose Of Jericho) (White, blue & white halved sleeves, light blue & white cap)

309 (5) 82-121 MASAD 61 (D.G.) (Mh Zanachio) C Curran 3-8-12 L Dettori 81
(b C Sadler's Wells - Marmalade) (Dark blue, red hoops, chevrons on sleeves, red cap)

310 (12) 1-41104 RODRIGO DE TRIANO 85 (F.G.S.) (R Sangster) P Chapple-Hyam 3-8-12 J Piggott 92
(h C El Gran Senor - Hot Princess) (Emerald green, royal blue sleeves, white cap, green spots)

311 (3) 12131-2 SEATTLE RHYME 39 (D.F.G.S.) (Mrs H Sann) D Elsworth 3-8-12 C Amussen 86
(h C Seattle Dancer - Golden Rhymer) (White, yellow sleeves, yellow cap)

312 (2) 1-11122 ALL AT SEA 77 (D.C.F.G.S.) (K Abduali) H Cade 3-8-9 Pat Eddy 93
(h C Riverman - Last Virtue) (Green, pink seal and cap, white sleeves)

BETTING: 8-4 Kooyonga, 11-2 Dr Devious, 8-1 Rodrigo De Triano, 7-1 Ahnasr Alwasheek, 8-1 All At Sea, 9-1 Ruby Tiger, 14-1 Zoman, 20-1 Mased, Terimon, 25-1 Seattle Rhyme, 33-1 Gussy Marlowe, 150-1 Bobizao.

1991: TERIMON 5-8-6 M Roberts (16-1) C Britain 6 ren

Form guide to the 12 contenders

TERIMON

Jul 25, Ascot, good to firm: (9-7) 161
8th to St Jovite (8-1) (1m, group 1)
King George VI & Queen Elizabeth
Diamond Stakes 2261, 3 ren.

Jul 4, Sandown, soft: see KOONYONGA

Jun 26, Ascot, good to firm: see KOONYONGA

ZOMAN

Jul 4, Sandown, soft: see KOONYONGA

May 31, Longchamp, soft: (6-2) best

Anterque (5-2) 1st neck (1m 55yd, group 1 Prix d'Alethian, 231,367, 11 ren).

May 18, Curragh, good to yielding:

(8-1) 1st hd 2nd to Open House (8-2)

(1m 21, 21, group 1 Tattersalls

Rogers Gold Cup, 243, 125, 7 ren).

GUSSY MARLOWE

Aug 1, Goodwood, good to firm: see RUBY TIGER.

Jul 8, Newmarket, good: (9-7) best

Lovelash (8-1) (1m, group 1 Falmouth Stakes 233,380, 7 ren).

Jul 27, Curragh, good: see RUBY TIGER.

KOONYONGA

Aug 2, Muriel, good: (9-7) best

Group 1 (8-7) 2nd to 1m, group 1

Mercedes Benz Prize, 238, 246, 7 ren.

Jul 4, Sandown, soft: see KOONYONGA

RODRIGO DE TRIANO

Jun 18, Ascot, good to firm: (9-0) 161

4th to Brief Trace (9-0) (1m, group 1)

Jameson's Palaces Stakes, 218, 186, 8 ren.

Jun 3, Epsom, good: see DR DEVIOUS.

May 16, Curragh, good to yielding:

(9-6) best Dr Devious (9-1) 11th, group 1

Irish 2,000 Guineas, 212,000, 8 ren.

May 2, Newmarket, good: (9-0) best

Lucky Star (9-0) 1st with ALNASR

ALWASHEEK (8-1) (1m, group 1)

General Admire 2,000 Guineas,

213,788, 18 ren.

DR DEVIOUS

Jun 28, Curragh, good: (9-0) best

Group 1 (8-7) 2nd to 1m, group 1

Buckeler's Mat Derby, 235,600, 17 ren.

Jul 14, Ascot, good to firm: (9-4) best

Persevering (9-3) 1st neck (1m 55yd,

Group 1 (8-7) best after 2nd to 1m, group 1

Derby, 235,560, 17 ren).

ALL AT SEA

Aug 1, Goodwood, good to firm: see RUBY TIGER.

Jul 8, Newmarket, good: (9-7) best

Loveash (8-1) (1m, group 1)

Falmouth Stakes 233,380, 7 ren).

Jul 27, Curragh, good: see RUBY TIGER.

RUBY TIGER

Aug 1, Goodwood, good to firm: (9-1) best

ALL AT SEA (8-6) 1st, 1m, 2nd

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Northamptonshire start title charge

Taylor provides the late movement for championship

By PETER BALL

BOURNEMOUTH: Northamptonshire (22pts) beat Hampshire (5) by ten wickets

NORTHAMPTONSHIRE are timing their Britannic Assurance county championship burst to perfection. Yesterday they took up the challenge to Essex, moving into third place, 35 points behind the leaders, as Hampshire collapsed abjectly after lunch to the swing of Paul Taylor, who took a career-best seven for 23 as Hampshire lost six wickets for one run.

"The top of the table is like a motorway, all jammed up at the moment," Allan Lamb, the Northamptonshire captain, said. "We've got one win and go from sixth to third. We've got five games left. If we win four of them we've got a very good chance; if we win three, an outside chance."

Essex remain in pole position and still hold a significant lead, but Northamptonshire, who visit Bristol today and play Kent another of the contenders, at Northampton on Friday, have as good a run-in as anyone.

The ease of yesterday's win, however, surprised even Lamb, who had thought a target of 150 the height of optimism as Hampshire

made steady progress in the morning. Even then there had been hints of what was to come. Middleton edging Ambrose to slip and Gower playing an indeterminate stroke after looking comfortable.

"That wicket has always held up, so if you bowled in the right place it wasn't easy to score," Lamb said. "and after lunch Paul got it to swing."

Even so, the speed of the surrender took everyone by surprise, including Taylor, who found the ball swinging as never before, and returned his best figures to reach 50 wickets for the season. His winter's coaching session from Dennis Lillee had paid full dividends, but as he ran in and swung the ball late, left arm at a brisk pace, it looked as if he had been learning from Wasim Akram.

James had been his first wicket on Saturday. Taylor was the first yesterday, surprised by one which came in, Ripley holding a fine catch, diving to leg, off the inside edge to begin Hampshire's collapse in which six wickets fell in balls.

Taylor claimed five of them. The sixth was Nicholas, who almost predictably found Ambrose's pace and lift too much for him. Nicholas sur-

veyed five balls from Ambrose before falling to the sixth, to set in train a spell of five wickets in seven balls.

Four fell in Taylor's next over. Aymes, who had resisted with determination, was the first to go, picked up at bat and pad. Ayliffe became the first of two leg-byes first ball along with Turner, to deliver which "did a hell of a lot," according to Lamb. In between, Udal avoided the lightning before edging to Ripley.

Marshall, who had been a horrified spectator, restored a little sanity by playing a maiden from Ambrose. Then came Shine, who, together with Ambrose, provided light relief.

Ambrose may not have seen the humour, launching so determinedly into his efforts that he overstepped the mark, a 13-ball over seeing Shine out twice off no-balls and attracting a warning for the use of bouncers as Shine swung around him happily, edging or middling fours.

A stand of 20 brought up the three figures before Taylor had the last word, picking up his seventh wicket. "Conditions were perfect, it did a lot when it warmed up after lunch, but they didn't offer much resistance, did they?"

Reflections of a happy bowler. A stand of 20 brought up the three figures before Taylor had the last word, picking up his seventh wicket. "Conditions were perfect, it did a lot when it warmed up after lunch, but they didn't offer much resistance, did they?"

Reflections of a happy bowler.



Soaring blow: Goffon, of Leicestershire, lofts Boiling, the Surrey off spinner, for six at the Oval yesterday

Leicestershire stay on title scent

By JACK BAILEY

THE OVAL (final day of three): Leicestershire (22pts) beat Surrey (6) by 72 runs

LEICESTERSHIRE may not exude glamour. They possess no stars and they have few pretensions to being an exciting team to watch. But they do pull together in the most extraordinary way and under Nigel Briers their keenness is transparent. Given that their victory over Surrey with three balls to spare — a victory which took them to second place in the championship — should occasion no real surprise, but it was indeed remarkable.

It also owed much to Surrey's own desperate search for a win. Set by Briers's declara-

tion to make 266 from 51 overs, a rate higher than any achieved previously on a pitch which always gave the spinners hope, they went for their lives right down to the fall of the seventh wicket; and while Lynch was still there the task of scoring 80 in fewer than ten overs seemed just possible.

Lynch had raced to 50 from 39 balls. In all, he hit 12 fours in an inning of rare quality. When he left the scene, Surrey's last two wickets had to endure for eight overs, but Potter's left-arm spin and two good catches denied them, almost at the last gasp.

Potter was entrusted with the Vauxhall end for 18 consecutive overs and he served his team admirably, as did Parsons for a large part of Surrey's innings, bowling

with the pavilion behind him. Potter's four for 73 speaks eloquently of his contribution, but the figures of Parsons do him less than justice.

Parsons's heroic spell of 20 overs on the trot — or rather the gallop; he walks back so quickly and fairly pounds up to the crease — came to an end with Surrey needing 84 from ten overs with four wickets remaining. The masterly inactivity of Briers where bowling changes were concerned had left Surrey with an outside prospect of victory while Lynch kept going. Now his first change in 28 overs ensured a shift of tempo and of fortune.

Bon had previously taken only nine first-class wickets. Now he caught Benjamin off his own ball. In his next over, he struck again with his

first ball. This time, the redoubtable Lynch was irresistibly drawn towards a wide one. Bon had bowled two wicket-maiden overs and Surrey's brave efforts had come to an end.

Leicestershire's march onward had been helped greatly by a career-best innings of 75 by Goffon, the night-watchman who over-stayed his welcome, and another neat, forceful innings by Wells. As a prelude to his match-winning bowling, Goffon helped him put on 105 for the fifth wicket.

Potter certainly earned his salt. **MINOR COUNTIES CHAMPIONSHIP:** Leicestershire: Hertfordshire 200-6 dec; Suffolk 100 and 145-5 (S M Clements 47); Match drawn.

SECOND-CLASS CHAMPIONSHIP: Northamptonshire: Gloucestershire 185 (A J Hunt 67); M N Bowen 4-29; Northamptonshire 56.

Pakistanis produce powerful display

By JOHN WOODCOCK

BRISTOL (final day of three): the Pakistanis beat Gloucestershire by 393 runs

THE Pakistanis were in Nottingham in good time for dinner last night, having taken not much longer to dismiss Gloucestershire in their second innings than they had in their first on Sunday. They won by 293 runs, Akram's six wickets for 32 runs giving him 11 for 76 in the match.

Gloucestershire did find it a little harder than they had the first time round, though there was not a lot in it. Alleyne, Vaughan and Hancock got into the twenties but the Pakistanis always had plenty in reserve when anyone looked like getting stuck. Akram bowled at a leisurely pace, sometimes over and sometimes round the wicket, two balls rarely the same; there were times when he looked to be toying with the batsmen.

The Pakistanis have one first-class match left — at Scarborough next week. Yesterday, they took their winnings from the Tetley Bitter sponsorship of their 12 three-day county matches to £59,750. In these, they declared 12 times — even when losing to Worcestershire, they made 374 for four in their first innings — and were seldom bowled out themselves.

They are developing a way of bowling — especially Waqar Younis, whose main weapon, unlike Akram's, is his speed — that imparts late swing to balls delivered with sufficient pace.

As with bias on a bowling green or borrow on a putting green, the curve or swing begins to take effect only when the wood or the golf ball or, in this case, the cricket ball, slows down. Obviously, the greater the speed the later the lateral movement.

The baseball pitcher and Waqar have this combination of high speed and late swing in common. The method by which Waqar achieves it, with a ball wide and damaged on one side and weighted with sweat on the other, has been accepted by some of the game's most experienced umpires as being within the laws, despite a flood of innuendo.

A comparison between the record of Javed's present side and that of Hafeez Kardar's in 1954 — the first Pakistanis to come to England — is informative. In 1954, they played 30 first-class matches, of which they won nine. It was the Australians who carried all before them in those days. Don Bradman's great 1948 side won 23 of their 31 first-class matches, no fewer than 17 of them, including eight of the first nine, by an innings.

Of the 18 matches Javed's side have played so far, 12 have been won — a much higher percentage than today's Australians expect to achieve — and only two lost, the fourth Test at Headington and against Worcestershire soon after they arrived.

Middlesex keep up challenge

By IVO TENNANT

Captains prefer to avoid run chase

crashed through the covers off Ellison's first ball, the kind of shot he was playing at will on Saturday.

Derbyshire were then 129 runs on, nine wickets intact. There was not the same movement as on the first day. It was variants of pace that accounted for Morris before the stoppage. As in the first innings, he was unable to follow Ellison's changes of pace. Ellison took the catch at a wide-ish mid-off.

Then came the rain. Early lunch came and went and so did early tea. At this point, Derbyshire could have left Kent 180 to win off a minimum of 38 overs, a pleasing target for a Sunday afternoon let alone for championship contenders. Or they could have batted on a while longer.

Mindful, perhaps, that there was little in it for his county, who mostly have only their averages to contend with, Barnett came to no conclusions with Benson. He did not have the runs to play with. For Middlesex, who got home with five balls to spare, it was their third victory in the last four games and advanced them to fifth in the table.

An innings of 140 from Wayne Larkins helped save Durham from defeat against Glamorgan at Hartlepool. Larkins hit five sixes and 19 fours but Durham are 12 points adrift at the bottom.

MIDDLESEX completed a profitable few days at Uxbridge, their second home, by beating Yorkshire by six wickets yesterday to keep alive their title chances. They can add the county championship to the Sunday previous day (Geoffrey Wheeler writes).

Mark Ramprakash led them to victory with a fine innings of 94 after Martyn Moxon, the Yorkshire captain, had set a generous target of 231 in what turned out to be 46 overs. Although Middlesex lost both Haynes and Roseberry in scoring 38 by tea, Ramprakash and Gatting then added 97 in 18 overs and Paul Weekes (48 not out) helped add a further 93 before Ramprakash was out with only three runs needed. For Middlesex, who got home with five balls to spare, it was their third victory in the last four games and advanced them to fifth in the table.

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DERBYSHIRE (final day of three): Derbyshire (7pts) drew with Kent (7)

THE LOSS of 50 overs because of markedly heavy showers proved insurmountable at Chesterfield yesterday. Although it would have been feasible to have had a Sunday afternoon-style run-chase late in the day, for once the captains could come to no agreement as to a convivial finish.

Then came a contest that had promised much after two excellent days peters out in a welter of runs for Barnett. Having made 116 overnight, the Derbyshire captain finished with 160, including 22 fours, his highest score of a mixed season. Indeed, he scored an unbeaten 143 out of 267 to give Derbyshire a lead of 179 before a violent storm saturated the Queens Park ground. In fairness, it should be mentioned that not one run was off anything other than proper bowling.

The day had begun propitiously enough. For Cork, newly recruited by England, it was with television crews. For Barnett, it was with a four



Healy: saved the day

COLOMBO: Chandika Hathurusinghe, a part-time bowler who had taken only one wicket in his six previous Test matches, embarrassed Australia with a spell of four for 13 in 24 balls on the opening day of the first Test at the Sinhalese Sports Club here yesterday.

Hathurusinghe, whose

main role is that of an opening batsman, exploited helpful conditions with his medium-paced deliveries to help send Australia tumbling from 84 to 124 for seven.

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main role is that of an opening batsman, exploited helpful conditions with his medium-paced deliveries to help send Australia tumbling from 84 to 124 for seven.

The wicketkeeper, Ian Healy, then hit an unbeaten 6 to lead a recovery that lifted Australia to a total of 256. Sri

Lanka replying with were nine without loss.

Australia, put in to bat, made a cautious start but seemed to be over the worst when Hathurusinghe broke through on a pitch freshened by a shower. He had Boon caught by a diving Ramanayake at mid-off for 32, to end a second-wicket stand of 76 with Taylor, who made 42 before falling leg-before to Wickremasinghe.

Hathurusinghe then sliced through the middle order.

Jones went leg-before not offering a shot. Border was bowled between bat and pad and Mark Waugh was caught

behind. Healy, cutting productively when the bowlers dropped short, hit four fours in a stay of 138 minutes and the last three wickets produced 132 runs.

With McDermott, Waugh and Whitney giving him admirable support, Healy guided his side to comparative respectability with his fourth Test-half-century.

McDermott hit the only six of the innings, off Hathurusinghe, and three through his 222 to 28 balls while Waugh stayed 75 minutes for his 24 and Whitney made 10 for his 11.

Of the 18 matches Javed's side have played so far, 12 have been won — a much higher percentage than today's Australians expect to achieve — and only two lost, the fourth Test at Headington and against Worcestershire soon after they arrived.

POOLS FORECAST

BRENTFORD, Swindon over Sunderland. Last season's corresponding fixture was won narrowly, and rather luckily, by Wolves.

In the third division, I am taking Halifax Town, who won at Rochdale, to keep the momentum going by holding Scunthorpe United to a draw.

Dundee are shaping up well on their return to the Scottish premier division. Their 4-3 home victory over Rangers on Saturday was not the kind of form improves drawing at Aberdeen, Clyde and East Fife.

The day had begun propitiously enough. For Cork, newly recruited by England, it was with television crews. For Barnett, it was with a four

SECOND DIVISION (final day of three): Derbyshire (22pts) beat Yorkshire (5) by six wickets

THIRD DIVISION (final day of three): Derbyshire (22pts) beat Yorkshire (5) by six wickets

SCOTTISH FIRST (final day of three): Dundee (22pts) beat Glenrothes (8)

SCOTTISH PREMIER (final day of three): Dundee (22pts) beat Glenrothes (8)

SCOTTISH SECOND (final day of three): Dundee (22pts) beat Glenrothes (8)

SCOTTISH CONFERENCE (final day of three): Dundee (22pts) beat Glenrothes (8)

SCOTTISH CHAMPIONSHIP (final day of three): Dundee (22pts) beat Glenrothes (8)

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SCOTTISH CHAMPIONSHIP (final day of three): Dundee (22

After string of near misses, Price is a champion at last

Price has broken out of the ruck

FROM MITCHELL PLATTS
GOLF CORRESPONDENT
IN ST LOUIS, MISSOURI

FEW champions have been better prepared to handle fame than Nick Price. His victory in the US PGA championship at the Bellview Country Club here on Sunday came 16 years after his involvement in a war broadened his horizons.

Price, 35, was born in South Africa but his family moved to Zimbabwe (then Rhodesia) when he was still in short trousers and he regards that as his home.

"We had a full scale war going on between 1968 and 1980," he said. "I could have stayed away from the country. But I felt I wanted to be there, so I served in the Rhodesian Air Force between 1976 and 1977. It was the biggest learning experience of my life."

"I snuffed death out there. A lot of my friends lost their lives. When you're that age, you do a lot of growing up. I think it helped me."

Price has served an arduous apprenticeship as a golfer. He first played in a major championship in 1975 before his involvement in the bush war. David Leadbetter, who also lived in Zimbabwe, saw in Price a great natural talent. But it was slow to flower. Initially Price plied his trade on the European Tour and won the Swiss Open in 1980 and the Italian Open a year later.

He moved onto the American circuit in 1983 and in his first season won the World Series of Golf at Akron, Ohio. He did not win again in the United States until last year. His passion for other sports, such as water skiing and fishing, often cut deep into the time he should have been devoting to golf.

There were flashes of brilliance, such as in the Open championship at Royal Lytham and St Annes in 1988. Six years earlier, at Royal Troon, Price had led the field by three shots with six holes to play but dropped two shots at the 15th and Tom Watson won. In 1988, he led entering the final round but was runner-up again, although he gave no ground to Seve Ballesteros in a gripping head-to-head confrontation.

Price regarded it as part of the learning process but others began to question his prospects. He was capable of brilliant play, as he showed again in 1986 when he had a course record round of 63 at Augusta, but as the year passed so it seemed his chances of breaking through with a major success were slipping away.



An overdue success: Price holds the Wannamaker Trophy aloft following his US PGA triumph in St Louis

Price, who earlier in the year had finished sixth and fourth in the Masters and the US Open, eliminated almost all error in his final round of 70 on Sunday which gave him a total of 278, and a three shot advantage over Nick Faldo (67) and the eventual champion, to be at home with his wife, Sue, when she gave birth to a son, Gregory.

Success could not have

happened to a nicer person, who realises: "there is more to life than making a three-foot putt. The game will be all the richer for having Nicholas Raymond Leige Price as its latest champion."

To win a major championship requires a lot of patience and that was not my strongest point for a long time," he said. "I've worked really hard for this title. There have been doubts but my wife has given

BOWLS

Allcock and Corsie stay on course

By GORDON ALLAN

TONY Allcock of England, and Richard Corsie, of Scotland, put the tremors of the second round out of their minds to win two matches each in the Woolwich world championship singles at Worthing yesterday.

Allcock beat the gentlemanly Frank Souza, from California, 25-23 in 38 ends and David Le Marquand, of Jersey, 25-12. Corsie scored 25-

CYCLING

Butler must put in hours

GETHIN Butler, who on Sunday added the British 12-hours time-trial title to last month's 100-miles championship success, has to return to the treadmill of non-stop, half-day riding (Peter Bryan writes).

The 276 miles Butler amassed at the weekend was an outstanding performance in atrocious weather conditions. But it was nine miles short of the 285 miles he needed to give him the lead in the British best all-rounder

competition, which is decided at 50 miles, 100 miles and 12 hours. The series is led by Kevin Dawson, runner-up last year, with a qualifying distance of 293 miles, the second-best 12 hours on record.

To keep his all-rounder hopes alive, Butler is obliged to compete in the Poole Wheelers trial on September 6 near Ringwood.

RESULTS: 12-hour champion, 1. G Butler (Monkton Parsonage), 267.6 miles; 2. K Dawson (Bath), 267.3 miles; 3. D Fidell (Hounslow), 262.4 miles.

100 miles: 1. G Butler (Poole), 199.2 miles; 2. D Fidell (Hounslow), 198.9 miles; 3. K Dawson (Bath), 198.7 miles.

50 miles: 1. G Butler (Poole), 199.2 miles; 2. D Fidell (Hounslow), 198.9 miles; 3. K Dawson (Bath), 198.7 miles.

12 hours: 1. G Butler (Poole), 293.0 miles; 2. K Dawson (Bath), 292.8 miles; 3. D Fidell (Hounslow), 292.6 miles.

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Off the cuff,
on the air —
and into the
White House?

PARENTS p5
Terminal
cases: Davina
Lloyd at the
airport



LIFE & TIMES

TUESDAY AUGUST 18 1992

What shall we tell the president?

A YEAR ago today, four of the most powerful men in Russia set out on a top-secret mission to the Crimea. The men were Oleg Baklanov (the deputy chief of the Defence Council), Oleg Shenin (a member of the Central Committee Secretariat), Valentin Varennikov (the commander of land forces) and Valeri Boldin (right). Mikhail Gorbachev's chef de cabinet for nearly ten years, the head of the "general department" of the Communist Party Central Committee, and a consummate apparatchik. Their task was to persuade President Gorbachev to declare a state of emergency and keep the Soviet Union together by enforcing firm rule from the centre. But the president refused. Less than 24 hours later tanks appeared on the streets of Moscow and it was

announced that Mr Gorbachev was ill and the duties of state president had been assumed by the vice-president, Gennadi Yanayev.

Of all those involved in the coup, Mr Boldin had worked most closely with Mr Gorbachev and his betrayal hit the Soviet leader hardest of all. "Even Boldin..." he would repeat after the coup was over.

Mr Boldin was arrested on August 22, two days after the coup was defeated, charged with attempting to seize state power, and imprisoned. During this time he began to write his memoirs. On December 20 Mr Boldin was released from prison on medical grounds. In this extract he tells of the visit to the president's villa at Foros on August 18, 1991 that led to the overthrow of President Gorbachev.

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Varennikov: incisive



Baklanov: perplexed



Shenin: opening move



The aftermath: President Gorbachev talks to the press after the failed coup when he was kept confined to his Crimean villa (below)

They took me into the cell, and the keys clanked in the lock as the door shut. There were no windows, only a steel plate with holes in it. I could see that it was a single cell. That was probably for the best. I didn't want to see anyone. They had taken away my belt, tie and braces and my documents and money. I lay down on the bedsheet and felt the cold of the metal.

That morning I had been lying in bed at the hospital where I was receiving treatment. I had woken before dawn by the nurse. "The doctors have come to see you," she said, but her face betrayed such terror that I knew they had come for me.

Taking off their white coats, they handed me an arrest warrant signed by Trubin, the procurator-general of the USSR. ... Then it was full speed ahead to Matrosskaya Tishina (sausage) prison number 4. There, searched and robbed, I allowed the events of the last few days to rush around in my head — that whole sequence of events that had brought me, and not only me, to this place.

Five days before, on August 17, I had been at the KGB's official guesthouse when it was told that the defence minister's plane would leave Chkalovskaya the next day at 2pm for Belbek, the military airfield nearest to the villa in the Crimea where the president was on holiday. "Can you come?" I was asked. "We've got to tell the president the whole truth about the situation. He'll believe it if it comes from you."

On August 18, Aviation Day, Oleg Boldin, Oleg Shenin, Valentin Varennikov and I assembled at the airport, greeted the pilots, climbed the steep ladder into the T-154 and seated ourselves in the minister's section.

We had been having regular discussions about the difficulties ahead since January 1991. The impossibility of averting collapse was clear, for all to see. The president, however, seemed to be thinking about quite different things. He was writing his new book and Raisa Gorbachev's memoirs were being published, for which she was going to get a very large sum in hard currency. Raisa Maksimova used to ring up all the time, asking which publishers should be entrusted with her "first book".

But from the beginning of 1991, the president's chief worry was the decline in his personal popularity, and the increase in Yeltsin's authority. He would sometimes gather a small circle of people he trusted and ask them: "If we hold national elections for the presidency, what can we do to increase my popularity? Can we count on winning?"

So far as winning was concerned, people just looked embarrassed, but on the matter of popularity they were in no doubt: restore order, fight crime, halt the orgy of nationalism, and ethnic unrest, improve agriculture and industry.

Everyone who worked closely with Gorbachev saw his hesitancy, his inability to take decisions, and the hopelessness of the situation. He'll believe it if it comes from you."

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Terry Farrell's architecture has transformed London. He talks to Marcus Binney about plans for Hong Kong and Edinburgh

Top of the form in a class of his own

Terry Farrell's star is rising. At a time when most British architects are desperately short of work, he has just won two major competitions in Hong Kong, and a start is shortly to be made on his new £30 million conference centre in Edinburgh. For Farrell these triumphs are doubly sweet as until now virtually all his work has been in London.

Yet six months ago, prospects looked very different. The three massive projects which had sustained his practice from 1986 – Charing Cross, Vauxhall Cross and Alton Gate on London Wall – were all nearly complete. His staff, which had grown from 15 to 150, looked set to shrink almost as drastically.

Farrell's recent buildings and designs share one quality in common: they are landmarks. While many architects are moving towards ever lighter and more transparent buildings, Farrell positively delights in sheer sculptural mass. Yet he is uneasy with suggestions of monumentality. "I prefer to call it an architecture of pure form," he says. "The move towards geometric simplicity unites a whole range of architects working in different styles: Arata Isozaki and Tadao Ando in Japan, Aldo Rossi in Italy, and Mario Botta in Switzerland."

This quality can be seen clearly in his design for Edinburgh. Here is an imposing flat-topped cylinder, like a giant hat box, but in scale almost as powerful and brooding as the Castel Sant' Angelo in Rome. Yet round buildings can feel uncomfortable or awkwardly proportioned. In cities, Farrell ingeniously makes the transformation to the grid of city streets by introducing large cube pavilions at the corners, meeting the curve of the rotunda in a different manner on each side and so giving a freestanding building four distinct elevations.

The test of the building will equally lie in the quality of the interior spaces, for which drawings will be complete in September. "The main 1,200-seat auditorium subdivides by a series of revolves into two and three," says Farrell. In addition, there will be a banqueting hall for a thousand people and auditoriums for 200 and 600.

The commission to replace the existing Peak tower in Hong Kong was won in a select international competition that included both Ando and Rossi. "It is intended to be a symbol of the city as much as the Eiffel Tower, Sydney Opera House or Big Ben. The site commands one of the best views in the world and is visible from Kowloon and the new territories as well as from the Hong Kong waterfront," he says. "I deliberately overexposed it to be seen from a distance, like the Grande Arche in Paris."

The silhouette is that of an oil

lamp or Chinese junk carefully balanced on four finger-like towers. "It's based on many overlapping Chinese forms, urn, vase, lotus leaf, temple with upturned eaves", he explains.

Farrell's design for the Consulate-General in Hong Kong is intended to revive a distinctive tradition of public buildings amidst the thrusting office towers of the colony. "While high-rise has given Hong Kong a new dramatic character, especially at a distance, there has been a loss of sense of place at street level," he believes.

He has divided the accommodation for the consulate and the British Council into two buildings.

Farrell: "Much of my time is spent designing, but I don't sit at the drawing board"

crowning views up Supreme Court Road and Justice Drive, and has placed the buildings along the pavement to preserve the steeply rising gardens behind. Between them will be a glimpse of a soft waterfall cascading through the trees.

The idea is to recall the first British landing in Hong Kong in search of water. History relates that they stumbled on a magnificent waterfall.

But what could be Farrell's greatest landmark of all – if it turns out to be the winner – is his competition design for the Singapore radio tower, taller than the Eiffel Tower. Many recent masts of this kind have ended up looking very similar because the emphasis is all on the engineering aspects, tension wires and radar discs. "Too many of these structures learn nothing from architecture, even though they contain a lot of accommodation, ten floors in this case," says Farrell.

His design is much more in the tradition of monuments, lighthouses and beacons. The lower sides are like giant versions of Mackintosh's ladder-back chairs forming a Grande Arche. "The site is a hilltop like Primrose Hill in London, where people go to promenade," says Farrell. "The mast itself is treated as a tapering, upturned sword pointing at the sky. Six months have passed, however, and

no winner has been announced, equally tantalising for other British contenders such as Will Alsop and Jan Kaplicky.

In London, Farrell's last addition to the scene is Vauxhall Cross, nearly complete and due – so it is whispered – to be occupied by MI5, a curiously conspicuous location for so secretive a user.

This stretch of the South Bank between Lambeth and Vauxhall Bridges has the most dismal procession of slab office blocks to be found in central London. Farrell has produced a design of stepped terraces and advancing wings that seems Egyptian enough to stand on the Nile. Both the form and the language are also born of the architecture along the Thames in the 1920s and 30s, which Farrell became fascinated with while working on his new building above Charing Cross. Farrell also expresses enthusiasm for the zigzag detailing of Gilbert Scott's two great power stations at Battersea and Bankside.

The building has a strong public element as it continues the waterside walk along the South Bank, complete with lion masks on the parapet and modern versions of the famous dolphin lamps on the Embankment.

Vauxhall Cross is on an outside curve of the Thames and has spectacular views up and down the river. An enterprising tenant could greatly increase revenue by letting the numerous large terraces for parties, though this must be rather an unlikely option in the case of MI5.

The most controversial element of the building is likely to be the colour, especially the green glass, almost as strong as emerald, but yellow rather than blue-tinted. The sheer expanse of polished stone links the building to an earlier tradition of riverside palaces on the Thames. How did Farrell achieve this on a budget building? "Artificial stone is now a very sophisticated material. We owe it to Ricardo Bofill in Paris, who developed it on a monumental scale with a very high standard of finish."

Much of Farrell's bread and butter work in these hard times has come from master planning. In the 1980s he established himself as a champion of the public interest, helping 'community groups' fight public enquiries in Hammersmith, Wimbeldon and The City.

He won a reputation for sensitivity towards urban context and street life. He is now doing schemes for Birmingham, Leeds and Newcastle, showing how older buildings and streets can be retained and revived in overall improvement schemes.

Some of these projects are long-term. His proposals for eliminating the hated walkways in the South Bank Centre are now in their sixth year with no clear indication of whether the scheme will proceed.

The post-modern battles of the 1980s he believes have been won.

"The return to context is very strong. No longer are new buildings in towns designed without reference to their neighbours as if they were on green field sites. Even modernists have become interested in their own history."

A key question will be whether the 1990s brings a rapprochement between Farrell and the architecture establishment. The test is simple:

whether his name is put forward by the Royal Institute of British Architects and the Royal Fine Art Commission on shortlists for important public competitions in England.

While Sir Norman Foster and Sir Richard Rogers have partners who contribute on a virtually equal basis to their practice's output, Farrell has remained sole partner and owns all the equity in his practice. "It's the only way to retain total design control," he says.

But is it possible for so busy a man to do all the designing himself?

"Apart from seeing clients, most of my time is spent designing," he says.

"But I don't sit at the drawing



"Egyptian enough to stand on the Nile": Vauxhall Cross, by Terry Farrell & Company in London

board. I never did, though I do a lot of freehand sketching. We have three studios and each project is set up in one of them two or three times a week. I move from one to the other, taking lots of tracing paper and going through every aspect of the design with the team working on it."

Farrell has shown he can work on a large scale, but it must not be forgotten that the virtue of his early work was the sheer amount of ingenious planning and witty, inventive detail on a small scale. The test for Farrell in the 1990s must be the extent to which he can combine the two.

ARTS BRIEF

Belated thanks

THE Sir Arthur Sullivan Society has announced its major project to celebrate the 150th anniversary of the composer's birth. It is the world premiere recording of Sullivan's *Boer War Te Deum*, which the composer himself never lived to hear, and which quotes from Sullivan's most famous hymn-tune, "Onward Christian Soldiers". The record, by the Britten-Pears Chamber Choir and the Choir of Ely Cathedral, will also include extracts from other Sullivan choral works which have been neglected in favour of his comic opera collaborations with W.S. Gilbert.

Among them is another Te Deum, written in 1872 to celebrate the recovery of the Prince of Wales from typhoid and sung by 2,000 people at its first performance. The Sullivan Society (0388 710308) is launching the disc on October 23 to coincide with its grand celebration weekend in Hull.

Not alone

MACAULAY CULKIN, better known as one of Hollywood's most popular child stars, is to return to his previous profession as a budding ballet dancer when he features in a new filmed version of *The Nutcracker*. The filming of George Balanchine's production of Tchaikovsky's classic, danced by New York City Ballet and starring Culkin as the Prince, is being filmed for release in the winter of 1993. Culkin was a student at the School of American Ballet, the official school of the New York City Ballet, and appeared in the company's production of *The Nutcracker* in 1983 and 1989 before the runaway success of *Home Alone* put an end to his career as a dancer.

Last chance ...

THE arrangement and furnishing of public spaces is small beer compared with saving the rainforest, but it, too, has a vital role in improving our environment. "The Furnished Landscape" shows how artists have recently played their part in Britain, from Bruce MacLean's Dockland railings to Tess Jaray's brick paving for Birmingham's Centenary Square, from Jim Partridge's rough-hewn benching to Jon Mills's aeroplane weather vane for an Oxfordshire school. The exhibition continues at the Crafts Council Gallery, 44a Pentonville Road, London N1 (071-276 7700) until Sunday.

TELEVISION REVIEW

Stray bullets and shots in the dark

IN Arlington National Cemetery, the grave of Robert Francis Kennedy is marked by a movingly simple crucifix, only yards from the infinitely more imposing monument to his elder brother with its eternal flame and massive etched inscriptions. In death, as in life, Bobby walks in the shadow of Jack; a more substantial man than JFK, potentially a much finer president, but one who has never quite matched his status in American folklore.

This historical imbalance was the subject of last night's *Secret History* (Channel 4), a pacy investigation of the 43-year-old senator's assassination in a Los Angeles hotel in June 1968. Long before Oliver Stone threw his hat in the ring with *JFK*, hundreds of books and documentaries had already wrung their hands over President Kennedy's murder – such that most Americans now assume he was the victim of a conspiracy.

Perhaps with the plot of *The Manchurian Candidate* in mind, *Secret History* concluded that Sirhan was a robot assassin "hypno-programmed" by the CIA and produced enough evidence to suggest that such techniques were being used, at least experimentally. It is certainly true that Sirhan has always claimed to have no memory of the shooting, but the alleged confession of a deceased doctor to two prostitutes that he had done the programming is scarcely enough to go on.

ONCE trouble with loose speculation is tends to reinforce cover-ups instead of undermining them. Why so little mention of Sirhan's strongly pro-Palestinian testimony, considered in the context of Kennedy's repeated calls for an increased supply of arms to the Eshkol government in Israel? And what about the old theory that the "extra" shots were fired by Thane Cesar, a security guard standing behind the senator?

Still, this film shed disturbing light on an under-examined event in American history and poked well-deserved fun at contemporaries who poured contempt on the dissenters. "Someday, somebody for purposes best known to themselves, regardless of the evidence, is going to try to prove that Sirhan didn't do it, that there was a conspiracy," muttered the LA district attorney of the time. "We know what happened". No doubt; but what about the rest of us?

MATTHEW D'ANCONA

Playing fair by a German Bard

Joseph Williams investigates why Britain has so neglected the works of the great theatre pioneer, Friedrich von Schiller



August Tischbein's portrait of Schiller, (1759-1805), a German playwright hardly acknowledged in Britain

German dramatist is a little strong for English sensibilities. I'm inclined to think that there's something a little bit rich about him for our taste," says Carroll.

According to the director of Stan's Here's *Don Carlos*, part of the problem is that the

JAZZ RECORDS

When sidemen move into the spotlight

Fitzgerald, he has worked with just about any major soloist worth mentioning.

At 73 he has retained his deftness of touch and appetite for show tunes. Like some of the other Maybeks performers he seems a mildly self-conscious solo artist at times, occasionally succumbing to the temptation to add one too many, but as an

exercise in rhythmic variation this session amounts to a virtual masterpiece.

Former Miles Davis drummer Tony Williams spent several years in pursuit of the holy grail of fusion music. Having abandoned that particular quest, he returned to the fabric group improvisation which characterised Davis' mid-Sixties groups.

CLIVE DAVIS

ask anyone to name

Germany's two greatest classical playwrights and the answer will undoubtedly be Goethe and Schiller. So it is odd that the dramas of Friedrich von Schiller should be known to audiences in Britain almost exclusively through operatic treatments; the plays themselves are performed as often as those of a third-rate Victorian dramatist.

Once, Chekhov was rarely played in Britain today, who can conceive of a West End repertoire without him? Yet Schiller merits as much attention on the British stage as Molière or Pirandello. In Germany itself, meanwhile, Shakespeare is performed so often in regional theatre that one could be forgiven for thinking the Bard came from Heidelberg not Stratford. If Shakespeare's vibrant language translates brilliantly into German, surely there can be no reason why Schiller's cannot work in English.

Now comes a rare theatrical event: a new production of *Don Carlos*, Schiller's 1787 verse play set in the court of Philip II of Spain which later inspired Verdi's famous opera. The staging by Stan's Here Productions, which features a new blank verse translation, opens at the Lyric Studio, Hammersmith, tonight. Directed by Tim Carroll, and translated by Peter Oswald, the play matches the rhythm of the German original, but is judiciously cut to a more palatable three hours.

Don Carlos has hardly ever been performed professionally in London. Some regional theatres, such as Glasgow's Citizens, and Manchester's Royal Exchange, did mount Schiller's productions in the

volumes three, eight and nine, respectively, undoubtably long in the latter category.

Frank Jones' *Live at Maybeks* Hall marks the sixteenth volume, no less, in the series, and does so with some style. While he has never enjoyed a high public profile, Jones has always been in demand among his peers. A former accompanist with Ella

May, California, Reserved mainly for bop and mainstream pianists, the project opened some years ago with a set by JoAnne Brackeen. Since then the series has had its dull patches, yet also its moments of galvanising, off-the-cuff, inspiration. The recitals by Dick Hyman, Gerty Wiggins and Marian McPartland (which make up

Growing up after tragedy

How can children who have witnessed violence and death be helped to overcome trauma? Liz Gill reports on how professionals limit psychological damage

The tears of a heart-broken child are unbearable to watch. More alarming however, according to Anne Bannister, is no tears. It is then, she says, that you know the child is not getting better.

Mrs Bannister, a psychotherapist and consultancy manager with the National Society for the Prevention of Cruelty to Children in Manchester, says that when asked about something terrible, that has happened to them, many children will say, "Yeah, yeah, it happened. It's no big deal. I'm all right now." "This seems callous and has in the past fooled a lot of people," she says. "But for a child to recover, it has to express feelings appropriate to the event."

A week ago Hammersmith Coroner's Court in London heard two

all the previous feelings would return, perhaps even more massively, although the child would not know why they were there."

The Hammersmith cases, only a month after Rachel Nickell's small son, Alex, witnessed her brutal murder on Wimbledon Common, came in a week of yet more images of suffering among innocents from Sarajevo to Somalia. Without help, the outlook for traumatised children is bleak: an inability to love and trust, difficulty in forming relationships, depression, feelings of aggression, often persisting into adulthood, are a frequent legacy, Mrs Bannister says. There may also be wider implications for the society in which they live and many aid agencies now believe it is vital to help children's minds as well as their bodies. The United Nations Children's Fund, for instance, has already begun several projects in Croatia to tackle the psychological damage done by the war to its younger victims.

Naomi Richman, a child psychiatrist, has just spent three years in Mozambique training local teachers to help children caught up in the conflict there. "It involves befriending and establishing good relationships as well as doing activities such as games, art, theatre, to express feelings. Not all cultures need to talk about things but the children need to know their feelings are understood and accepted."

Many of those she has worked with have not only experienced violence, they have also lost parents, homes, entire communities. "When attacks are happening in war, children are obviously very distressed but if they are with their parents and can get out of the situation or it comes to an end, they should gradually recover. But the longer they remain in the conflict the harder it is."

There is evidence, Dr Richman says, that children too young to speak can still be affected by witnessing violence. Even infants of 18 months remember images. "At five or six they begin to realise who could die themselves — generally older children find it the hardest because they are more aware of the dangers." Alex Nickell, aged three, is being helped over his ordeal by Jean Harris Hendriks, a consultant child psychiatrist. Detectives hope that some of the child's recollections

"may help in their investigation. Though programmes such as hers can help in the short term, Dr Richman believes wider measures are vital if war is not to breed "lost generations". "They should be given the chance to lead a normal life afterwards and this means economic possibilities as well as being able to play and go to school. If parents don't have a chance to rebuild their lives it's hard for the children to grow up normally."

Like others in the field she is continually impressed by children's resilience: "Children try very hard to heal themselves in play. It's the natural way of dealing with it. I've had nursery nurses say to me about a bereaved child, 'She's so morbid, she's always playing funerals', and I say 'good'. Some are more resilient than others. It may be personality but it may also be to do with the child's life before the terrible event. Resilience can be worn away or it can be strengthened."

"A traumatised child does not always have to have professional therapy. Loving kindness and common sense can be enormously helpful as long as common sense is not just telling the child that everything will be all right."

"It is also important as time goes by not to attribute everything to that one event and that's where it helps to know about child development



Victim support: given the right care, this child in Mogadishu may survive the trauma of civil war

and the way children are likely to behave at different ages."

The other temptation may be to indulge the hurt child. "While you should give as much as you can to a traumatised child that includes giving boundaries as to what is permissible and what is not."

Often the problem lies as much with the parent as with the child, says Michael Stewart, the co-director of the Centre for Crisis Psychology, which has helped survivors of Zeebrugge and other disasters. "The adult often blocks recovery by not treating the child as an intelligent being," he says. "They are patronised by not being told the truth or by being told a silly little version of it or they are not allowed to show their grief. The best thing you can do is be truthful in an idiom and language they understand."

"It's no good just telling a four or five-year-old, 'Daddy's gone to heaven', because they need to deal with the fact of his death. I happen to believe in heaven but that doesn't save me from feeling savaged by life. Grief is grief."

"On four occasions we have been contacted by schools where they have suffered multiple tragedies and we have suggested a seminar in which the event is discussed openly, either with or without the help. But they have refused: they say the children will be too upset."

Children do not have to be caught up in war or violent events to be traumatised. A two-year study of 650 families in Bedfordshire by the local Victim Support found that many children were deeply disturbed by burglary in their home.

Alan Doughty, the group's director, says: "Reactions varied enormously, from children who thought it was all a super event because of fingerprints and scenes of crime officers to those who dared not go into their own bedroom and who showed signs of extreme anxiety like sleeplessness or being physically sick."

"Often they didn't share with their parents what they were feeling because they did not want to add to their distress but it would show itself elsewhere, at school or the youth club. The organisation has now produced a booklet for parents which outlines strategies for coping."

Recognising when a child has been traumatised may be difficult for a parent. Mrs Bannister says a good rule of thumb is any behaviour that is unusual for that child that persists for several weeks. Mr Stewart adds: "It's a very difficult area, but basically if you feel you need help you should ask."

It is important not to attribute everything to that one event'

If in doubt, don't

Julian Critchley,

MP, says his children think sex stops at 35.

Caitlin Moran offers the over-30s advice on what not to do



Bottom line: over-30s beware

say this we mean it ironically. You guys really mean it, maan. And, with all the women's lib around in the '60s, why isn't there a generation of parents all saying "woomaan"?

7. Go on and on about how great the 1960s were or the 1970s. There was no revolution. Some scientists 30 years older than the flower children invented the Pill, and oh yeah, the Beatles stuck a microphone in a piano and played the tapes backwards. This year's finest band — The Disposable Heroes of Hiphoprisy — play their music on blow torches and industrial grinders, and not once do they mention paunchy leaping spouses. There should be a law against it.

8. Wearing trendy clothes. Oh dear, dear, dear.

9. Saying "Maan". When we, the youthful, omnious generation, is

Museum treats

MUSEUMS are a rich resource for families during the summer holidays. At the Natural History Museum in London, there is a daily "science corner" in the Discovery Centre where children can question experts on everything from poisonous snakes to precious stones. There are Fossil Fun for Families sessions each Wednesday tomorrow, in search of fossil sharks on the Isle of Sheppey. Phone 013 938 9173 to book.

Mask-making workshops, for eight-year-olds to adults, tie in with the permanent dinosaur exhibition. There will be two sessions on Monday, August 24, with advance booking advisable on 071-938 9999.

At the neighbouring Science Museum, the Floating Point Science Theatre runs children's workshops at noon, 1pm and 3pm daily in August (weekends in

September). They link with the Living with Lasers exhibition, and on August 29 and 31 there will be a chance to add your picture to the laser mural.

Down memory lane

GRANDPARENTS' books — a sentimental American innovation — are becoming increasingly prevalent, if not popular, in Britain. They let grandparents record the important moments of their lives in the fond hope that their grandchildren will enjoy looking at them in years to come. The *Grandparents' Book*, available from Past Times (which has 16 shops around the country, plus mail order), costs £13.50. It offers space to record details of visits and achievements and to paste in photographs and other memorabilia. Phone 0993 779444 to order.

Playing dentist

NOW that it is virtually impossible to get a dentist on the NHS,

Have children, will not travel

Some have fear of flying — not I. I have total faith that the metal giant will get up and stay up. My phobia is grounded elsewhere. I have fear of airports.

Leaving aside the nightmare of packing and persuading my children that they may leave their film collections and computer games behind, and that someone will feed the cat and the stick insect, and that 16.00 check-in time does mean four o'clock, the real panic begins at Terminal One. As we wheel our hard-won, wobbling, overloaded trolley to the check-in area, my anxiety sets in.

There at the desk a process of separation no less profound than severing the umbilical takes place. Which of our collection of baggage is to go into the hold and which will pass through the security test?

I used to let my two children pack their own hand luggage on the understanding that they could take anything they felt they would need on the journey and were prepared to carry. It's a practice I've now stopped, partly because of the times I've had to carry a sleeping child, plus its rucksack with rock collection, together with my own bag and weighty duty-free assortment. And there was the time I had to explain why my son was importing a two-way radio and plastic hand grenade and mini-machine gun from his mock commando kit. Now only paperbacks and puzzles are permitted.

Checking in accomplished, child-free travellers may feel the worst is over. They need only saunter round the airport, sipping pricy cocktails and purchasing last-minute silk scarves (for which the shop is always open until their flight is called). Parents, however, have a lengthy shopping list: sweets to suck at take-off, comics, tissues and travel sickness tablets from the chemist (which never seems to be open). And dealing with requests like, "I want to change the five holiday money Granpa gave me into pesetas". When you've retrieved your children from the computer games and hairband arcade, passport control should present few problems.

Then there is the scene at the security check: one child is generally loath to let her bear go through the X-ray scanner unaccompanied, and the other is again being interrogated by security guards — this time for a dangerous weapon in his hand luggage. It is my son and his Swiss army knife. There are probably terrorists sneaking Semtex through at this very moment while I'm, springing him from a body search and wondering why they imagine a small boy is going to hijack a 747 with something that takes stones out of horses' hooves.

Through at last. And is there time to queue at the duty-free for a quart of gin, which I know I'll need before the journey is over? No, I have to help negotiations for my daughter, who wants to buy a wristwatch with her holiday money, which has now been converted to pesetas. Finally, after we have all walked the two miles of carpet to our boarding gate, all the parents, children, babies, buggies and bottle liquor are safely stowed on



DAVINA LLOYD

board and the children are asking how long till we land. The pilot announces that we are not going anywhere. Two passengers have checked in but did not board the plane. They are probably parents who have gone through the rigmarole so far and decided to spend their holiday at home instead. I do not blame them.

We spend an hour on the runway. My son teaches my daughter how to play poker and wins her remaining holiday pesetas from her. They have read their comics, decorated their sick bags and eaten all the sweets.

A further half hour passes. The absentees' luggage is unloaded (full, no doubt, of lethal Swiss army knives) and we take off. The pressure that makes adult ears pop is unbearable for the very young. Everyone under two begins to scream simultaneously, and the stewardess comes round with an ineffectual basket of boiled sweets.

Part of the psychology of transporting people at high levels and high speed is to keep their minds off fearful thoughts. Tipping free Scotch down them may work for nervous adults, but has limited use for bored children. Unlimited supplies of complimentary colas just make them want to pee a lot. And accompanying small children on frequent visits to a tiny aircraft lavatory beggars description.

When the booze trolley comes by I seem to be hunting for the dolly's hairbrush under the life jacket. So, dehydrated, hassled and suffering from backache (having been pummelled mercilessly by someone else's children in the row behind), I begin to have harsh thoughts about children and air travel. Obviously, there are only two solutions. Either, like my husband, you plead pressure of work and join your family on a later flight. Or you partition the aircraft. Planes are already cordoned off into first class and hoi polloi, smoking and non-smoking. What about having children and non-children sections? In the junior sections, finger food or burgers could be served and the cabin staff — dressed as clowns perhaps — could entertain the children with demonstrations about letting down emergency oxygen supplies.

Meantime, I want to know where you can buy those luggage labels my parents used to tie on to their steamer trunks. On the long sea voyages from India, NWOV, they said: *Not Wanted On Voyage*.

asthma, hayfever or a summer cold — a pot pourri of Culpeper's Breathe Easy mixture (£2.75 a pack) in the room may help.

One-stop uniform

MARKS & Spencer is now offering a schoolwear ordering service — an SOS from desperate parents answered. Instead of trawling around different shops in the vain hope of putting together a set in the size required, you can now simply order everything you want from your local M & S branch, where skirts start at £7.99, sweaters at £8.99 and blazers at £27.

Relief in the rain

KEEP young hands out of mischief on rainy days with the colourful Rag Doll Kit or window mobile kit from Boots at £3.99 and £2.99 respectively. Or, for the illusion of sunshine, make ice lollies in the clever Boots Ice lolly maker (£2.50) and serve children's drinks in covered cups with sunglasses and feet (£1.49).

VICTORIA MCKEE

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Key to the mystery of the brain?

HOW and when was the human brain formed? What is the difference between mind and soul? Technical advances in biology are bringing scientists closer to the answers to ancient questions. Now, to coincide with the publication of *Bright Air, Brilliant Fire: On the Matter of the Mind* by Gerald Edelman, *The Times* in conjunction with Dillons and Allen Lane The Penguin Press is sponsoring a lecture on this subject.

Dr Edelman, a Nobel laureate and the director of the Neurosciences Institute, New York, and Oliver Sacks, Professor of Neurology at the Albert Einstein College of Medicine, New York, both argue that biology provides the key to understanding the brain. Introduced by Colin Blakemore, Professor of Physiology, Oxford University. Dr Edelman will speak on biology and the brain, followed by Dr Sacks on neurology and the soul.

The lecture will take place on September 7 at 7.15pm at the Institute of Education, 20 Bedford Way, London WC1. *Times* readers can obtain tickets by filling in the coupon, (right) or contacting Dillons by telephone, fax or in person.

• Bright Air, Brilliant Fire is published on September 3 by Allen Lane The Penguin Press (£20).

MANAGEMENT

Tactics of the new hunt

Recruiters find they can overcome the prejudices against public service once the significance of the job is explained, Clare Hogg writes

Britain's senior executive recruitment industry has its own Berlin Wall, according to a recent report issued by the search consultancy Saxon Bampfylde. On the one side, the public sector is often seen as "under-speed, undermotivated, underequipped, even underdressed — a Trabant economy". The private sector, on the other hand, is "a BMW world — but with real doubts, in 1992, about its performance and legitimacy".

These prejudices create a serious difficulty for recruiters of senior people on both sides of the divide, as well as for the consultants who service their requirements. Nevertheless, more and more "cross-fertilisation" is occurring.

Saxon Bampfylde's first public sector assignment was the appointment of Stephen Littlechild to the Office of Electricity Regulation three years ago. Since then the consultancy has carried out 15 assignments for high-profile positions including those of a chief medical officer, chief executive of the Queen Elizabeth II Conference Centre, director of works at the Houses of Parliament, and chief executive of the Defence Research Agency (DRA).

In spite of the enormous scope of this last appointment, which involves control of £800 million revenue and 12,000 employees, Stephen Bampfylde says: "Initially it was difficult to persuade many candidates that this was a challenging job."

"They thought the DRA was just a bunch of government scientists, not a real job of work at all."

The task was to explain to people the reality of it, the responsibility involved and the national importance of the output, and this was against the backdrop of the Gulf war."

The strategy adopted by another search consultancy, NB Selection, to capture the public sector market has led to the appointment of Bill Phillips, equipped with 15 years' experience in



On the lookout: Stephen Bampfylde trawls the private sector. Below: Stephen Littlechild, his first placing

Stephen Littlechild five years as the managing director of Westminster City Council "probably the first real managing director in local government".

The parallel of running a council as a business is false because "you cannot choose your product range or your customer base but you can run it in a businesslike way". Mr Phillips thinks there are few people who really understand how to transfer skills between the two sectors.

The methods used for public sector recruitment are different from those commonly used in the private sector. As Michael Geddes, the Civil Service Commissioner and chief executive of the Recruitment and Assessment Service Agency, explains: "The process is changing too. It is now a great deal more open. We are encouraging applicants from a wide range of backgrounds. Search consultants have played a significant role in this."

The public sector principle of fair and open competition and selection on merit means that although about half senior job recruitment now incorporates search, this is carried out in conjunction with an advertisement."

Most search consultants agree that this is probably the right approach. Mr Phillips explains: "The sort of people



who potentially could do top jobs in NHS trusts or executive agencies can be found in a wide range of organisations. They will be administering complex structures with large internal markets, the GECs, BTs and, in fact, of this world."

There is certainly more drive to recruit candidates with private sector experience. This approach represents better value too, a consideration where public money is concerned. Headhunters fees are typically based on a third of the new salary, compared with selec-

tion fees of 25 per cent. Predictably, Mr Phillips is positive about the role of independent search consultants for public sector appointments, but his reasons are fair.

He points out that the employer himself cannot carry out the search process. "Candidates need to be actively courted and wooed by recruiters with a convincing reputation," he says. "They have to be persuaded to swap certainty for uncertainty." This is often uphill work in the public sector.

In the future the executive who will most successfully build an outstanding career will be the one who shows the widest mind and most adaptable temperament. Switching between the two sectors will form a much more common pattern.

Many of the most challenging and influential jobs will be in the public sector. Some already in the public sector will force themselves to undergo the agonising transition to commerce.

A former Treasury official explains: "I gave up my Hush Puppies and bought a proper pair of black Oxfords. I knew I had to do it."

• *Privatising People: Career moves between the public and private sectors* is available from Saxon Bampfylde International (071-799 1433).

Heseltine's jackpot comes with strings attached

Inner cities rise to the challenge

There is no shortage of political controversy about the City Challenge scheme, which will funnel £750 million of government grants and loans into inner city areas over the next five years. The scheme, created last year by Michael Heseltine when he was the environment secretary, came as a bolt from the blue for local government service managers, by requiring councils to compete against each other for a share of the urban regeneration funds.

Labour calls it "the ultimate in gashow politics"

while the Tories assert that it has revolutionised partnerships between local government and the private sector.

While the politicians trade insults, the effect on the management of public services in some of Britain's most deprived areas has been as profound as it has been unnoticed by the rest of the country.

In future, councils did need new skills was in putting together its City Challenge bid. Videos, glossy brochures and detailed plans were pulled together into a presentation, which was staged, live, for an audience of ministers and senior civil servants.

When the funding was won, the next step was to adopt a new way of administering aid to an area. For example, Kensington and Chelsea Borough Council, in west London, won £27.5 million of City Challenge funding in this year's second round of the competition.

Among the many aspects of the new regime that angered public managers was the assumption by ministers that City Challenge had somehow forced local government to work with the private sector for the first

time. Jeremy Beecham, the chairman of the Association of Metropolitan Authorities and leader of Newcastle City Council, one of the first to win City Challenge funding, says that such an allegation hurt. "It is not true that local authorities, particularly in the big cities, have been reluctant to work with the private sector. If anything, it has been the other way round," he says.

Mr Beecham, a practising solicitor, says Newcastle council has always sought good relations with the city's business community. Where

Julian Heseltine



Portobello Road: ripe for regeneration

The North Kensington City Challenge project, which covers Ledbrooke Grove, Notting Hill and the world-famous Portobello Road market area, will be overseen by a company with a 21-member board drawn from the council, community and local businesses.

The project will have a chief executive and an administrative staff of fewer than 12. All work in the area will be contracted out and, although the council will remain accountable to Whitehall for every penny spent, the company will have

wide discretion over how it is allocated.

The council is at present advertising for a chief executive. The position, at a salary of £50,000 a year, is clearly aimed at a senior manager.

But what sort of person is likely to succeed? Michael Stroud, the council's environmental services director,

who is in charge of setting up the project, says: "We want somebody who can network well in an area, somebody with business acumen who can encourage investment in the area, but they will also need a clear understanding of the rules attached to government funding."

Although City Challenge is defined as a single programme, it is financed by seven different government schemes, each with its own separate funding rules, which must be followed to the letter. "We are looking for a fairly exceptional type of person," Mr Stroud says. "But then few other jobs offer the opportunity to change a place for the better for all its residents."

DOUGLAS BROOM

PUBLIC APPOINTMENTS

Leicester's
CITY
CHALLENGE

CHIEF EXECUTIVE

to £45,000 pa

Alongside its designation as Britain's first Environment City and its invitation to the Earth Summit in Rio de Janeiro, Leicester's success in bidding for City Challenge funds has helped to raise pride in the City both locally and nationally.

On behalf of Leicester City Challenge Limited - the company set up to manage this development programme - we are now looking for a Chief Executive to build on the hard work that brought initial success and to lead a highly committed team that is dedicated to turning visions into practical reality. Working with representatives of the public, private and voluntary sectors, the immediate task will be to finalise the 5 year action plan and the first year implementation plan.

We are looking for a highly experienced and motivated manager with a keen awareness of the issues surrounding inner-city regeneration and of the aspirations of large, multi-cultural communities. You will be able to demonstrate outstanding ability in project development and delivery - particularly to tight deadlines and targets. First class communication and interpersonal skills are essential for success, as is sound commercial acumen, personal presence and the ability to command authority.

This demanding - but unique - role offers an excellent salary, car, comprehensive benefits package and re-location assistance.

Closing date: 8 September 1992
Interim interviews: Probably week commencing 14 September 1992
Final interview date: 9 October 1992

Please send for a full information pack quoting ref. L/394/92 to

KPMG Executive Selection

Peat House, 1 Waterloo Way, Leicester, LE1 6LP. Tel 0533 471122 ext 4769

Equal Opportunities: All applications are welcome, regardless of racial origin, sex, age, disability, marital status, religious beliefs, class or sexual orientation

TO PLACE YOUR ADVERTISEMENT IN
THE PUBLIC APPOINTMENTS SECTION

TEL: 071-481 4481 FAX: 071-481 9313

Sandwell is a progressive Council committed to providing quality services to its citizens. We are at present developing several new major initiatives in the areas of staff development and quality services and have recently been successful in our bid for City Challenge.

We are seeking a Chief Executive who has a proven track record in Local Government and who will be able to develop policies and strategies to achieve the aims and objectives of the Council. You will have experience in working in partnership with external agencies including Central Government departments, leading and motivating other senior managers and you will be committed to enabling Local Government to provide, either directly or indirectly, services that meet the needs of an urban area in the West Midlands.

The successful candidate will be offered a competitive salary commensurate with the duties and responsibilities of the post, removal expenses and a car allowance, together with good conditions of service and a pleasant working environment.

Application forms and further details are available from the Borough Personnel and Equal Opportunities Office, Sandwell Council House, Oldbury, West Midlands B68 3DG. Tel: 021 569 3800

Closing date: 7th September 1992

We are an equal opportunity employer. We positively welcome applications from the ethnic minorities, disabled people and women where they are under-represented in particular jobs. Commuting of members of the authority will be greatly facilitated. Trade union membership is encouraged.

**CHIEF
EXECUTIVE**

Business Analysis at the Centre
Chief Executive and Town Clerk Department
Policy and Review Officer

Salary £18,231-£19,656

We seek someone with experience of business/policy analysis in a local authority or similar organisation to join a small team in the Chief Executive and Town Clerk's Department.

The work will be varied encompassing management and operations reviews of any part of the Council's services, and helping to prepare the Council's case for the Local Government Commission.

Apart from analytical skills, we shall need evidence of verbal and written communications ability, and it would be advantageous if you have practical experience of information technology.

Gillingham has a reputation for sound financial management and innovation in provision of services, and has in the last two years undergone considerable organisational change. Both Councillors and the Management Team share a commitment to improving services and performance review.

We have a good benefit package:

- Removal Expenses (as appropriate)
- Disturbance Allowance (up to £6,000)
- Leased Car Scheme
- BUPA
- Medical Screening
- Flexible Working Hours
- Smoke Free Offices (from 1 October 1992)
- Training According to Individual Needs

For an application and further details please contact Mrs June Smith, Personnel Section, Gillingham Borough Council, Municipal Buildings, Canterbury Street, Gillingham, Kent ME7 5LA. Telephone (0634) 232029 (24 hour answerphone)

Closing date: 11 September 1992

Interviews are expected to take place late September.

Gillingham
BOROUGH COUNCIL

APPEAL DIRECTOR

The Malcolm Sargent Cancer Fund for Children
England and Wales

The remarkable progress in recent years in the treatment of cancer and the improved prognosis for the life expectancy of afflicted children have increased dramatically demands on the Fund's resources. The Trustees have decided to undertake a multi-million pound appeal, coinciding with the Silver Jubilee of the Fund in 1993 and the forthcoming Centenary of Sir Malcolm Sargent's birth in 1995.

An experienced major charity fund-raiser with a demonstrable record of success is sought to take up this three year appointment in the Autumn 1992. Age is not material but vigour and enthusiasm are essential. The successful candidate, working under the Chairman of the Appeal Committee and in close collaboration with the General Administrator, will be responsible for all aspects of planning and implementing the Appeal. Excellent diplomatic and presentation skills are essential, as is commitment to the Fund's objectives. An active interest in classical music is desirable.

An attractive salary is negotiable. Membership of the Fund's group medical insurance scheme is available. A full expensed car will be provided.

Applicants should send full CVs to Westminster Associates International Limited, Regency House, 1-4 Warwick Street, London W1R 5WB. Telephone: 071 287 5788.

WESTMINSTER ASSOCIATES INTERNATIONAL LIMITED.

JOHN LEWIS

Protecting policyholders on insolvency

Scher and Others v Policyholders' Protection Board and Others

Ackman and Others v Same
Before Lord Donaldson of Lynington, Master of the Rolls, Lord Justice Russel and Lord Justice Leggatt

[Judgment July 9]

Guidance was given on the operation of the scheme under the Policyholders Protection Act 1975 and the Insurance Companies Act 1982 designed to assist private policyholders prejudiced by the insolvency of insurance companies which carried on business in the United Kingdom.

The Court of Appeal construing the 1975 and 1982 Acts varied orders made by Mr Justice Webster and granted declarations by way of response to the following questions:

1. What was a "United Kingdom policy" within the meaning of section 4 of the 1975 Act?
2. What was a "private policyholder" within the meaning of section 6(7) of the 1975 Act?
3. What was meant by "the amount of any liability of a company in liquidation towards a private policyholder under the terms of any general policy other than a compulsory policy which was a United Kingdom policy at the beginning of the liquidation" in section 8(2) of the 1975 Act?

The Scher group of plaintiffs were three physicians representing 5,000 doctors practising in New York. The Ackman group of 303 plaintiffs were either partners in Fred Frank, a partnership of lawyers practising in the United

States of America, or partners in Clarkson Gordon, a partnership of accountants practising in Canada. Both groups had taken professional liability insurance policies subscribed by four insurance companies authorised under the 1982 Act but in respect of which no particular liquidation had been appointed.

Royal Insurance (UK) Ltd and New Hampshire Insurance Co Ltd were joined as defendants on their own behalf and on behalf of a class of all persons authorised to carry on insurance business in the UK on whom the Policyholders Protection Board might impose a general business levy under the 1975 Act.

On the hearing of the appeal, the Secretary of State for Trade and Industry was granted leave to intervene.

Mr Anthony Grabiner, QC, Mr Michael Crystal, QC and Mr Guy Von der Scher for the Scher group; Mr Michael Pollock, QC and Mr Philip Phillips for the Ackman group; Miss Elizabeth Gossner, QC for the secretary of state; Mr Peter Scott, QC and Mr Roy Phillips for the Policyholders Protection Board; Mr Samuel Stansfeld, QC and Mr Alan Griffiths for Royal; Mr Nicholas Leggatt, QC, for New Hampshire.

THE MASTER OF THE ROLLERS set out section 4 of the 1975 Act which provided: "(2) A policy of insurance is a United Kingdom policy for the purposes of this Act at any time when the performance by the insurer of any of his obligations under the contract evidenced by the policy would constitute the carrying on of insurance business of the insurer of insurance business of any class in the United Kingdom."

Private policyholder

Section 6 of the 1982 Act provided: "(1) ... 'policyholder' means the person who for the time being is the legal holder of the policy for securing the contract with the insurance company ... and ... (b) ... includes a person to whom under a policy a sum is due or a periodic payment is payable".

It was common ground that the only possible source for such a power was to be found in section 6(4) of the Magistrates' Court Act 1980. If the hearing of the stopping up order was the hearing of a complaint, the judges had jurisdiction to make a costs order.

Under section 116 the stopping up proposal was made by way of "application" to the court. At first glance the proceedings did not look like the hearing of a complaint.

However, having regard to the nature of the Highways Act 1980, his Lordship was satisfied that the notice of the application was to be treated as a complaint and that accordingly there was jurisdiction to make an order for costs.

Solicitors: Imre, Chesham; Pearson & Stirling, King's Lynn.

Royal and New Hampshire had pointed out that at the material time it would be likely that the only outstanding obligation under the contract would be to make payment to or for the benefit of the policyholder.

In the plaintiffs' cases was inherently likely to take place in North America, and that Royal and New Hampshire had submitted, could not constitute carrying on insurance business in the UK. His Lordship rejected that argument.

With regard to the extended meaning in section 9(1)(b) his Lordship would reject the plaintiffs' submission that the wording was apt to include a person who was not a party to the contract but had a contingent claim to payment under the policy which accordingly would rank for payment in the liquidation.

In his Lordship's view the wording was clear: if a person would not otherwise have been a policyholder, his claim under the policy had to have become due before the liquidation if he were to claim as a policyholder.

Only those who were parties to the contract otherwise than as investors were within the primary definition of "policyholder", and the extended meaning was limited to those who, whether as payees under the policy or as persons entitled to claim indemnity under the policy, were claimants whose claims were due and were no longer in any respect contingent on the date of the liquidation "due" in that context not being the same and "due and payable". He would so declare.

Section 6 of the 1975 Act provided: "(7) 'Private policyholder' means a policyholder who is either (a) an individual or (b) a partnership or other unincorporated body of persons all of whom are individuals."

The Fried Frank partnership included professional corporations within the partnership. However, the legislative intention was that any partnership or other unincorporated body was to be treated as if it were a corporate body and neither it nor its members were as such private policyholders and his Lordship would so declare.

With regard to the amount of a sum was due at the date of liquidation although not payable until later. That was sufficient to make the claimant a policyholder. By contrast a claimant in respect of a contingent claim could not assert that at the time of the liquidation anything was due and, if he were not a party to the contract of insurance, could not claim to be a policyholder.

His Lordship would declare accordingly.

Lord Justice Russell and Lord Justice Leggatt delivered concurrent judgments.

Solicitors: Wilde, Sargeant; Freshfields; Trinity Solicitors; Herbert Smith; Herbert Smith; Kennedy.

He would reject Royal and New Hampshire's submission that the legal holder of the policy was confined to those who had possession of the policy document or an immediate right to its possession. See *In re Sovereign Life Assurance Co* (1988) 42 CHD 540, 548. A policy of insurance did not have to be in any particular form and was no more than the written contract or written evidence of that contract.

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In the case of unexpired period claims the claim would be ineligible because it would not be in respect of a liability "under the terms of any policy".

In the case of mature and contingent claims, if the claimant were a party to the insurance contract, he would be a policyholder. Whether his claim were mature or contingent it was in case where the claimant was not a party to the contract that a distinction was necessary.

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Complicated cases not apt for summary proceedings

Balli Trading Ltd v Afalona Shipping Ltd

Before Lord Justice Nourse, Lord Justice Stocker and Lord Justice Beldam

[Judgment July 22]

An action in the Admiralty Court that required lengthy argument by counsel on complicated issues of construction of documents was not a suitable case for summary proceedings under Order 14 of the Rules of the Supreme Court.

The procedure was suitable to decide an arguable question of construction only if it was short and depended on no more than a few documents, more especially if the decision would practically dispose of the action in one way or the other.

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BBC1

6.00 Ceefax (83294) 6.30 Breakfast News (86274019)
 9.05 *Thundercats* (r) (6066302) 9.25 Hartbeat. Picture-making series (r). (Ceefax) (s) (4283012)
 10.00 News, regional news and weather (6657895) 10.05 Playdays (r) (s) (6432050) 10.25 *Double Dares* (r) (s) (3271147) 10.45 *T'rr T'*. (Ceefax) (s) (4283014)
 11.00 News, regional news and weather (1951708) 11.05 *Kids on Kilkoy* discuss race relations (8546586) 11.15 *The Travel Show Traveller*. The Corsican resort of Calvi (6169896)
 12.00 News, regional news and weather (7598418) 12.05 *Summer Scene*. Entertainment magazine (5219789) 12.55 *Regional News and weather* (751517234)
 1.00 *One O'Clock News*. (Ceefax) Weather (15760)
 1.30 *Neighbours*. (Ceefax) (s) (43134760) 1.50 *Animal Passions*. A four-part series on the animals of Australia (61074031)
 2.20 *Film*: *Lucky Jim* (1957, b/w) starring Ian Carmichael and Terry Thomas. Comedy, based on the novel by Kingsley Amis, about the misadventures of a pushy history professor at a provincial university. Directed by John Boulting (630499)
 3.55 *Cartoon* (6188551) 4.10 *Pinocchio* (729418) 4.35 *The Really Wild Roadshow* (r) (s) (6363760)
 5.00 *Newsround* (r) (s) 5.10 *Byker Grove*. Episode 11 of the Byker Grove's drama series (r). (Ceefax) (s) (9900202)
 5.35 *Neighbours* (r). (Ceefax) (s) (250186) Northern Ireland: Inside Ulster
 6.00 *Six O'Clock News* with Anna Ford and Andrew Harvey. (Ceefax) Weather (673)
 6.30 *Regional News Magazines* (925). Northern Ireland. Neighbours
 7.00 *May To December*. Age-gap romantic comedy starring Anton Rodgers and Lesley Dunlop (r). (Ceefax) (s) (2893)
 7.30 *EastEnders*. (Ceefax) (s) (437)
 8.00 *Citizen Smith*. Comedy starring Robert Lindsay as the frustrated Tooting revolutionary (r). (Ceefax) (9031)
 8.30 *Walk on the Wildside: Clean Living*. Simon King explores different ways animals clean themselves. (Ceefax) (s) (8166)
 9.00 *Nine O'Clock News* with Martyn Lewis. (Ceefax) Regional news and weather (8760)



Seeking a Chinese remedy: Bob Peck, Lily Chen (9.30pm)

9.30 *Children of the Dragon*.

● CHOICE: New Will Flint in a masterly performance as Will Flint, the British cancer surgeon visiting Peking in this two-part drama set in the late 1980s. "Young people are so hopeful and hope is such a dangerous idea," he is told by his interpreter Jin-Juan (Lily Chen) as her daughter blithely joins the student protesters on Tiananmen Square, but that doesn't stop Will himself from following his own dangerous dream to track down a missing Chinese professor. The action gets off to a slow start and there are too many moments when the Chinese are inscrutable and Will is irritable and British, but Peck's acting and the twists of the story keep the interest. (Ceefax) (s) (334-70)

11.00 *Film*: *The Arrangement* (91969) starring Kirk Douglas, Deborah Kerr and Faye Dunaway. Drama, based on the film's director, Elia Kazan's novel, about an advertising executive whose attempt at suicide pulls his wife, mistress and dying father into his own protracted slough of despond (26654). Northern Ireland: *Still Standing* 11.30-12.00am *Frankie and the Four seasons in Concert* 1.00am *Weather* (5654074). Ends at 1.05

2.15 *BBC Select: Executive Business Club*. Ends at 3.15

BBC2

8.00 *News* (3316128)
 8.15 *A Monk From the Marble Temple*. Induction of novice Buddhist monks in Thailand (r) (2504470) 9.05 *Short Stories*. The life of Buster McShane, weightlifter and game owner (r) (7058857)
 9.30 *Sousa and Hardy* (r). Comedy double bill (1202418)
 10.15 *Carry On Columbus*. A tribute to the screen legend, beginning a short season of his films (5998825)
 11.05 *Film*: *Once Upon a Honeymoon* (1942, b/w) starring Cary Grant and Ginger Rogers. Comedy drama about a gold-digging Brooklyn showgirl who thinks she has hit the big time when she meets and marries an Austrian man — and then discovers he is a Nazi. Directed by Leo McCarey (42642963)
 1.00 *After Hours*. Entertainment magazine (61402673) 1.20 *Melvin and Maureen's Music-a-Grams* (r) (s) (62320857) 1.35 *Geoffrey Smith's World of Flowers*. Pinks and carnations (r) (s) (62662296)
 2.00 *News and weather* (59552234) followed by *The Kom-Tid Man*. The voyages of explorer Thor Heyerdahl (r). (Ceefax) (58552302)
 2.30 *Sign Extra: How Do You Manage?* adapted for the hearing impaired (s) (5062508)
 3.00 *News and weather* (6544215) followed by *The Cottage*. The story of the restoration of what was thought to be a Victorian cottage in Sussex (r) (6865876) 3.50 *News and weather* (6367089)
 4.00 *Film*: *Day of the Outlaw* (1959, b/w) starring Robert Ryan and Burl Ives. Western drama about a group of renegades who take over an isolated town and terrorise the population. Directed by Andre de Toth (32012) 5.30 *Gardener's World* (r) (302)
 6.00 *Film*: *Something Big* (1971) starring Dean Martin. Comedy western directed by Andrew V. McLaglen (23578215)
 7.45 *Shaking the Heavens*. *A Life in Reverse*. A profile of 83-year-old Minna Keal, a late developing music composer, whose husband is reluctantly playing the traditional housewife's role. (Ceefax) (s) (798654)



Making a gastronomic tour of Spain: Keith Floyd (8.30pm)

8.30 *Floyd on Spain*.

● CHOICE: A new series takes the extrovert cook to Spain where he samples the food and drink of the different country regions. He is his usual cheery self, comparing Galicia's robust multi-meat stew with Lancashire hotpot, splashing the camera (and presumably Clive the cameraman) with grease and destroying a monastery's peace and quiet by cooking a hearty meal for the monks. He does seem curiously on his own though, perhaps because of his lack of the language. During one so-called conversation with a local he admits defeat declaring: "Anyway who needs an interpreter . . ." but without one, Floyd and the Spaniards can only make "mmmm" noises to each other as they demolish more and more delicious, thrown together meals. (Ceefax) (729031)

9.00 *The Best of Saturday Night Clive*. The guests include Lenny Henry (r) (986963)9.40 *Film*: *Big Bull*. *Business*.

● CHOICE: This new five-part series takes a spirited look at British enterprise culture, kicking off with an what motivates entrepreneurs. All the expected faces — Sir Freddie Laker, Richard Branson, Alan Sugar and so on — show up to offer platitudes and a few insights about what makes them the way they are, with Laker at one point bemoaning the British for failing to realise that "there's only one man that doesn't make a mistake and that's the man that doesn't do anything." The programme does, however, also pick up on smaller successes and failures. The recession has spelt personal tragedy for many self-employed people. The autoentrepreneurs are happy though. Roy Gladwin-Hawes of Palmer Newton Ltd says business has picked up precisely because of the increased incidence of liquidation. (Ceefax) (729031)

10.20 *Building Sights*. Alice Rawsthorn of *The Financial Times* enthuses over St Olaf House, south London (r) (787857)

11.00 *Newsnight* with James Cox (764499)

11.15 *Nation*. Trevor Phillips chairs a debate on a controversial topic (467234) 11.35 *Weather* (539760)

12.00 *Open University: X-Rays and Energy Levels* (95242). Ends at 12.30am

ITV

6.00 *TV-am* (5116578)
 9.25 *Jumble*. Cryptic word game show hosted by Jeff Stevenson. Guests: Bobby Drago and Vickie Michelle (s) (7066499)
 9.30 *Thames News* (22444)
 10.00 *Out of this World*. American comedy series (r) (s) (2022321) 10.25 *The Witches*. *Gremlins*. Animation (r) (2032708)
 10.55 *ITV News* headlines (3475857)
 11.00 *Ox Tales*. Two animated adventures for Ollie the Ox (r) (3486234)
 11.25 *Just for the Record*. More record-breaking action from around the world (r) (s) (1174215) 11.50 *Thames News* (9546050) 11.55 *Cartoon Time* (6973654) 12.10 *Treasure Box*. Early learning series (r) (5202096)
 12.30 *Lunchtime News*. (Ceefax) *Weather* (7886296) 1.05 *Thames News* (632251166)
 1.15 *Home and Away*. Australian family drama (Orade) (460505) 1.45 *A Country Practice*. Medical drama set in the Australian outback (s) (498376)
 2.15 *The Home Show*. Includes news of loft conversions and a simple guide to mosaics and garden tips (451857) 2.45 *Families*. *Scandinavia*. *Portraits of England* with Australia (10410525)
 3.10 *ITV News* (Headlines) (4655521) 3.15 *Thames News* headlines (4654692) 3.20 *The Young Doctors*. Drama serial set in an Australian hospital (5465672)
 3.50 *Cartoon Time* (3987586) 3.55 *The Ratties* (r) (6256586) 4.05 Disney's *Duck Tales* (3995505) 4.30 *Cartoon Time* (9579470) 4.40 *Children's Ward*. Hospital drama (r). (Orade) (6685050)
 5.10 *Blockbusters*. General knowledge quiz game for teenagers, presented by Bob Holness (4878708)
 5.40 *Early Evening News* with Carol Barnes. (Orade) *Weather* (405789)
 5.55 *Thames Help* (r) (737166)
 6.00 *Home and Away* (r). (Orade) (741) 6.30 *Thames News* (321)
 7.00 *Emmerdale*. Soap set in the Yorkshire Dales. (Orade) (50709)
 7.30 *Nature Watch*: *Burn Ivory Burn*. Julian Pettifer is introduced to a group of orphaned elephants in Kenya's Tsavo national park. (Orade) (505)
 8.00 *The Bill*: *I've Never Been to Harrogate*. DS Greg investigates the mysterious collapse of an old man who has been burgled. (Orade) (1459)
 8.30 *Shelley*. Hywel Bennett stars as the indolent philosopher, this week goaded into using his brain for an inter-pub competition (s) (3234)



Behind the mask: Ken Olin, victim of a mugging (8.00pm)

9.00 *Film: Goodnight, Sweet Wife — A Murder in Boston* (1990) starring Ken Olin and Margaret Colin. A made-for-television thriller, based on fact, about the Boston police's investigation into the death of a wife after she and her husband are mugged. Directed by Jerold Freedman (continues after the news) (207)

10.00 *News at Ten* with Trevor McDonald and Alastair Stewart. (Orade) Weather (13741) 10.30 *Thames News* (341147)

10.40 *Film*: *Goodnight, Sweet Wife — A Murder in Boston* continued (872857)

11.30 *Prisoner Cell Block H*. Drama serial set in an Australian women's detention centre (36031)

12.30 *ITV Video View*. The latest releases reviewed by Mariella Frostrup (428848)

1.30 *The Equalizer*. Edward Woodward stars as the ageing avenger, in this episode saving the life of a young woman who was the victim of mistaken identity (r) (2455529)

2.20 *The Twilight Zone*: *The Trance*. A tale of the supernatural starring Peter Scolari (r) (6194951)

2.45 *Donahue*. Phil Donahue is joined by the cast of *Evening Shade* (613606)

3.30 *60 Minutes*. American news magazine (56267)

4.30 *Short Story Theatre: Snowbound*. A teenage boy and girl are stranded in a blizzard, threatened by a pack of predatory dogs. Starring Michael Mullins and Lisa Jane Persky (50600)

5.30 *ITV Morning News* (90797). Ends at 6.00

CHANNEL 4

6.00 *Channel 4 Daily* (1411960)
 9.25 *Gophers!* Children's entertainment (7057741)
 10.20 *Star Test*. Luke Goss is grilled by the inquisitive computer (r) (2031079) 10.50 *Remote Control*. Comedy quiz show hosted by Anthony Wilson (r) (8247215) 11.20 *Things to Come*: *What the Future holds* (r) (3488692) 11.50 *The Big Picture*. Film short following the progress of a movie print to a rural cinema (6981673)
 12.00 *The Munster* (b/w). Classic comedy (r) (10654)
 12.30 *Don't Quote Me*. Panel game based on the sayings of the famous and infamous (r) (s) (62505)
 1.00 *Sesame Street*. Preschool learning series (r) (507696): 2.00 *Channel 4 Racing from York*. Live coverage of the 2.05, 2.35, 3.10, 3.45 and 4.15 races (210760)
 4.30 *COUNTDOWN*. Words and numbers game show (4178); 5.00 *Simply the Best*. Kit Chapman has a Cumberland breakfast at Shambles Bay (3857)
 5.30 *Our TV*. Children's wildlife magazine. (Teletext) (470)
 6.00 *Desmond's*. Comedy series set in a south London barbers' (s). (Teletext) (s) (838)
 6.30 *Roseanne*. Wisecracking comedy from the rotund Roseanne Arnold (r). (Teletext) (963)
 7.00 *Channel 4 News*. (Teletext) *Weather* (833295); 7.50 *Comment* (288811)
 8.00 *My Dead Dad*. Comedy series about a man haunted by his dead father. Starring Roy Hanlon and Forbes Mason (Teletext) (s) (12714)
 8.30 *Film: Mr Deeds Goes To Town* (1936, b/w) starring Gary Cooper. Comedy about a naive young country man who inherits \$20 million and tries to give it away to the New York needy. The film for which director Frank Capra won his second Oscar (54297147);

Congratulations: the legendary Anthony Quinn (10.40pm)

10.40 *Hollywood Greats: Anthony Quinn — An Original*. ● CHOICE: The format of this kind of documentary has become something of a cliché. A star is congratulated by a series of other stars and the ensuing plethora of flattering anecdotes is punctuated with pleasing clips from the movies. Tonight's profile is no exception. Names such as Fellini, Stanley Kramer and Italian leading lady Gina Lollobrigida talk eloquently about Quinn, often in the present tense. If he is so legendary he must be dead, and the clips from his films including *Requiem for a Heavyweight*, *Lust for Life* and *Zorba the Greek* confirm his stature as an actor. It is certainly entertaining, but Quinn's memory is highly selective and his family and friends cannot always fill in the gaps to take us beyond the Hollywood myth and magic. (Teletext) (2672708)

11.50 *Empty Nest*. Comedy series starring Richard Mulligan as a widowed medical man in *Golden Girls* territory (107925)

12.20 *Film: Dr. Morell — The Case of the Missing Heiress* (1949, b/w) starring Valentine Dwyll as an unorthodox investigator looking into the mysterious death of an heiress. Directed by Godfrey Grayson (6300432)

1.40 *Film: The Rich Are Always With Us* (1932, b/w) starring Ruth Chatterton as a wife who goes to Paris to try and forget her adulterous husband — but finds it difficult. Directed by Alfred E. Green (3229884). Ends at 2.55

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11.30 *Tour of Duty* (831895) 12.25 *Comedy Tonight* (s) (12714)

12.30 *Emmerdale*. Soap set in a rural English village (s) (2552708) 12.30 *Home and Away</i*